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**Legislative Assembly  
of Ontario**

Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 7 November 2001**

**Mercredi 7 novembre 2001**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 7 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 7 novembre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### TAX CUTS

**Mr James J. Bradley (St Catharines):** What has become so very evident with yesterday's financial statement from the Treasurer is that the Conservative government in Ontario is willing to sacrifice quality health care, education and environmental protection on the altar of unnecessary tax cuts for the rich and the powerful.

After riding high on a provincial economy assisted by low interest rates, a low-cost Canadian dollar and a booming US economy, the Harris Conservatives are now confronted with the foolishness of their ideologically driven economic policies, their one-trick pony called tax cuts.

Having slashed essential programs that benefit the Ontario public and having added \$21 billion to the provincial debt by borrowing money to pay for previous tax cuts, the PCs in Ontario are reduced to whining for more federal money or hacking away further at health care and other important services.

Mike Harris and Jim Flaherty do not want more federal money for health care; they want the cash to pay for their tax gifts to the corporations and the rich. If the PCs want to avoid further health care and other cuts, they need only abandon their foolish \$2.2-billion corporate, \$975-million income and \$300-million private school tax gifts and they will have plenty to invest in public services.

As a wise columnist said, "All this talk of tax cuts paying for themselves and Ottawa shortchanging Ontario is just a smokescreen."

#### REMEMBRANCE DAY

**Mr John O'Toole (Durham):** I would like to share with the House some thoughts on Remembrance Day in my riding of Durham.

Over 1.5 million Canadians served in the Second World War and the Korean conflict. We all know 110,000 gave their lives. On November 11, we honour these men and women for preserving our freedom.

However, Remembrance Day is more personal to me because I think of the many ways my riding remembers

those who perished and shows its gratitude to all who served.

Starting in the east part of the riding, there is the village of Newtonville, site of a rare Boer War monument built in 1902. This Friday, local students from Newtonville Public School will participate in a service there.

On Sunday, Sterling Mather and Doug Walton will once again be among those responsible for the community service in Newcastle.

Then in Bowmanville, Branch 178 Legion president Jim Connell, John Greenfield, Rae Abernethy, Norm Baker, Cecile Bowers, Walter Park, Doreen Park, Art Sheehan, Nyhl Sheehan, Bill Calver, Steve Oke, Jack Mantle, Art Brooks, Ross Wright, Gary Cole, and poppy chair Lyne Puddister will be among the participants.

Moving to the north area of my riding, there will be a service in Blackstock on Sunday, and no doubt local veterans Carl Adams, Harold Martin and Stan Rahm will be there to celebrate and remember.

In Port Perry, Legion Branch 419 president Rory Thompson, vice-president Stan Clarke, poppy chair Barb Doupe, co-chair Ron Hartrick, and past president Fred McMann will be among those responsible for the Remembrance Day service.

In Orono, the service at the cenotaph took place last Sunday, November 4. Those I have mentioned are assisted by many others literally too numerous to mention.

It is on this basis that I, along with them, would like to thank those who served and those who continue to serve this country and protect our freedom.

#### HEALTH CARE

**Mrs Sandra Pupatello (Windsor West):** In honour of the Premier of Ontario's visit to Windsor—the first official visit in six and a half years, I may add—we launched a postcard campaign to let the Premier know what the people in Windsor were thinking about our health care system. We specifically said to the Premier, "We need your help."

Over 3,000 postcards is all I could muster to bring into the House today, but just as a sample of how the people responded, they said, "Please, hearing exams: not paid." "I'm a heart patient and can't get service." "We have no family doctor." Ultimately, probably the best comment from the cards was, "We need new leadership now."

This is exemplary of what the people of Windsor feel about our health system. How galling it was to watch the

Premier of Ontario strut through the streets of Windsor as though he were going to do something wonderful for us, when the reality is that where services count, the people in Windsor go wanting.

We demand hospitals beds to serve our people. We demand emergency care to serve our people. We demand doctors to take care of our people. These are the things that we don't just demand but we deserve. Hard-working taxpayers from Windsor contribute to the Ontario GDP, and we don't get the health services we need.

This is just a sampling, but the people from Windsor are speaking loudly and clearly. They are asking for community supports like children's mental health services, the very basics that we need and we demand.

#### INFRASTRUCTURE PROGRAM FUNDING

**Mr Ted Arnott (Waterloo-Wellington):** Municipalities in my riding of Waterloo-Wellington have applied for infrastructure funding under the Ontario small town and rural infrastructure program, or OSTAR. They have identified priority projects that need to be completed, and I want to inform this House of my unconditional support for each and every one of their applications.

The township of Centre Wellington needs funding to upgrade waterworks to be in compliance with tough new drinking water standards that are being enforced by the Ministry of the Environment. The town of Minto and townships of Wellington North and Guelph-Eramosa are also applying to upgrade their water supply systems to comply with the new regulations. The township of Wellesley has applied for support to reconstruct a bridge over Kirkland Creek. And the township of Mapleton absolutely needs funding to redevelop water and sewer infrastructure for the entire community of Moorefield.

I've been in regular contact with my municipalities on these projects and we've had opportunities to discuss some of them in meetings that we have arranged with Ontario cabinet ministers. Their projects are of top importance, chosen by the elected councils for the citizens and communities they represent. They are the foundation projects, the ones upon which much of our communities' future health, safety and prosperity will be based. That is why I am insistent that to each and every municipality in Waterloo-Wellington that has applied for an OSTAR grant, we owe adequate support and timely approvals through the Ontario SuperBuild Corp.

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#### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr David Ramsay (Timiskaming-Cochrane):** Yesterday, while the Ontario Northland Transportation Commission internal solutions committee was presenting its plan for a restructured organization, the Mike Harris government introduced in the House legislation that enables the transportation agency to discontinue any of its activ-

ities and services and would further allow the commission to sell off any of its assets.

This comes as a stinging slap in the face to the union-management committee that has worked long and hard to develop made-in-the-north solutions to ensure the viability of our transportation and telecommunication services throughout all of northeastern Ontario.

It would appear that the government is back on track with plan A, which is to dismantle the ONTC and all its services. This is most unfortunate, as after much protest, including a massive Survival Express march on Queen's Park last spring, the Minister of Northern Development and Mines indicated he would listen to some local proposals. A team of management and unionized employees went to work to develop a proposal that would revitalize our services while helping the ONTC stay as a crown agency.

It would appear again that the Mike Harris government is not listening to the concerns of northerners. Again, the Mike Harris government's policies are hurting the north rather than helping the north.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** November is Adoption Awareness Month, and by coincidence, right here in this Legislature, in this House, I want to tell people that they have an opportunity to find out everything they need to know about adoption awareness, because right now we are holding committee hearings on Bill 77, my private member's bill to amend adoption disclosure in this province.

I invite all members in this House, particularly those who have some concerns about adoption disclosure reform, to drop into committee room 1 this afternoon after routine proceedings to hear from many groups, many individuals who themselves have been involved directly over the years in the adoption reform movement. They will dispel many of the myths I've heard over and over again in this House from but a few members who still object to the bill.

I want to say that I find that the majority of members in this House, from all sides—all the NDP members, most of the Liberals and most of the Conservatives—support going ahead with adoption disclosure reform in this province.

We are far behind other jurisdictions. There are jurisdictions all over the world that have amended and brought in these new laws. They have worked perfectly well. I urge all members to drop in this afternoon and support this very important bill.

#### CENTRAL NORTH CORRECTIONAL CENTRE

**Mr Garfield Dunlop (Simcoe North):** It's so nice to see so many young people in the House today.

We also have in the House, Hartzel Black, director of rehabilitation programs of Management and Training

Corp of Canada, the company that has recently entered into partnership with the Ontario government to operate the Central North Correctional Centre at Penetanguishene in my riding of Simcoe North.

Management and Training Corp operates 17 correctional facilities and 23 Job Corps centres in the United States, Australia and the Marshall Islands.

MTC has a long history in training and rehabilitation, which they have put to excellent use in their correctional facilities. They offer extensive personal development programs in areas like substance abuse, life skills, anger management and crisis intervention, just to name a few.

Since last April, when MTC was named as the partner with our government, the company quickly acted to become part of the community of Penetanguishene. In October they held an open house, where thousands of people throughout Simcoe North could come and tour the correctional facility to see how safe and secure the facility is.

In July and August, several job and vendor fairs were held so local people could meet with MTC officials to discuss job and business opportunities with the new correctional facility.

To date, MTC has hired 149 people to work in the new facility, 74% of those local people coming from the communities surrounding the facility. It is estimated that around 300 people in total will be hired to run the new facility. MTC has also committed to buy goods and services locally. I would like to thank MTC for keeping its strong commitment to hiring local personnel and buying locally to improve the economy of the town of Penetanguishene. I'd like everyone to welcome Hartzel Black, of Management and Training Corp of Canada.

#### HOLOCAUST EDUCATION WEEK

**Mr Michael Bryant (St Paul's):** Kazetnik writes that for all those who walked upon the ramp of Auschwitz, the Holocaust is not over. That is why we are so fortunate to have so many Holocaust survivors and their families involved in Toronto's Holocaust Education Week, taking place between October 27 and November 10. It's in fact a model Holocaust Education Week, which is adopted and referred to by a number of cities and regions across the world.

We have more than 106 events taking place across the city. I was pleased to participate in an event at Amsterdam Park, in St Paul's, with the students of Brown Public School and Deer Park community school, who are ordinarily there as well, in memory of Anne Frank. The children retell the story and plant tulip bulbs, which of course will come up in the spring for them to see.

I encourage members of this House who are currently in Toronto these days to participate in the many Holocaust Education Week events. I congratulate the organizers and volunteers who make this event such an extraordinary one. It is just one more way in which we say that we will never forget. We will never forget.

#### TAKE OUR KIDS TO WORK DAY

**Mr Bob Wood (London West):** I rise today to recognize National Take Our Kids to Work Day. Today thousands of grade 9 students in Ontario and across Canada will spend a day at work with a parent, relative, adult friend or volunteer host.

Take Our Kids to Work is a national program with participation and support from all provinces and territories. This program has three main objectives: to offer students a view of the work world and to give them an understanding of its demands and opportunities; to allow students to see their parents or volunteer hosts in different roles and responsibilities and to understand what they do to support a family; to emphasize that education goes beyond the classroom and that the preparation of younger generations for the future is a community responsibility.

Grade 9 students were selected for a number of reasons. Provincial curriculum guidelines include career education at this level, and it's an opportune time for students to see the practical side of what they have learned in school. Grade 9 students also make course selections for the following year that could have an impact on their futures.

I am joined at work today by two students from South Secondary School in the great riding of London West. I know South to be a good school because my father graduated from it in 1927 and I did so in 1965. I ask two possible future MPPs, Mira Pavan and Virginia Kane, along with Mira's mother, Anita, to stand in the gallery and be recognized. I ask all members to join with me in congratulating all the young people across Canada who are joining their mentors at work today.

#### VISITORS

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: I would like members of the assembly to know that in the members' gallery west is Mr Ron Hansen, who is the former MPP for what was then called Lincoln, from 1990 to 1995.

**Mrs Marie Bountrogianni (Hamilton Mountain):** On a point of order, Mr Speaker: In the spirit of taking your kids to work, my grade 9 son, Alexander Tsanis, is here from St Mary's High School.

**The Speaker (Hon Gary Carr):** That's not a point of order, just as if I announced my daughter Makenzie was in the west gallery, that wouldn't be a point of order as well, and of course I didn't do that.

**Mr Ernie Parsons (Prince Edward-Hastings):** On a point of order, Mr Speaker: One of our kids has actually brought her parents to work today. We have page Courtney immediately to your left. I'd like to welcome her parents, Mr and Mrs Kiss, from Prince Edward county, and her brother Jordan.

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: In the spirit of the day, I want to introduce my son who is here with me working today, Kale Stockwell, and my nephew Evan Snow, up in the last row of the public gallery.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** On a point of order, Mr Speaker: The member for Perth-Middlesex is unable to be here today. He asked that the House welcome the parents, both sets of grandparents, a brother and two friends of page Andrew Hodes who comes from his riding.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime / Projet de loi 69, Loi visant à protéger les victimes en interdisant les gains tirés du récit d'actes criminels.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

**Interjections:** No.

**The Speaker:** I heard that loud and clear.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Flaherty, Jim	Newman, Dan
Arnott, Ted	Galt, Doug	O'Toole, John
Baird, John R.	Gilchrist, Steve	Ouellette, Jerry J.
Barrett, Toby	Gill, Raminder	Parsons, Emie
Bartolucci, Rick	Gravelle, Michael	Patten, Richard
Beaubien, Marcel	Guzzo, Garry J.	Peters, Steve
Bountrogianni, Marie	Hardeman, Emie	Phillips, Gerry
Boyer, Claudette	Hastings, John	Pupatello, Sandra
Bradley, James J.	Hodgson, Chris	Ramsay, David
Brown, Michael A.	Hudak, Tim	Runciman, Robert W.
Bryant, Michael	Jackson, Cameron	Ruprecht, Tony
Caplan, David	Johns, Helen	Sampson, Rob
Chudleigh, Ted	Kells, Morley	Smitherman, George
Clark, Brad	Kennedy, Gerard	Snobelen, John
Clement, Tony	Klees, Frank	Sorbara, Greg
Coburn, Brian	Lalonde, Jean-Marc	Spina, Joseph
Colle, Mike	Levac, David	Sterling, Norman W.
Cordiano, Joseph	Marland, Margaret	Stewart, R. Gary
Crozier, Bruce	Martiniuk, Gerry	Stockwell, Chris
Cunningham, Dianne	Maves, Bart	Tilson, David
DeFaria, Carl	Mazzilli, Frank	Tsubouchi, David H.
Di Cocco, Caroline	McLeod, Lyn	Wettlaufer, Wayne
Dombrowsky, Leona	McMeekin, Ted	Wilson, Jim
Duncan, Dwight	Miller, Norm	Witmer, Elizabeth
Dunlop, Garfield	Molinari, Tina R.	Wood, Bob
Ecker, Janet	Munro, Julia	Young, David
Elliott, Brenda	Mushinski, Marilyn	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Churley, Marilyn Hampton, Howard	Kormos, Peter Marchese, Rosario	Martin, Tony Prue, Michael
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**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 80; the nays are 6.

**The Speaker:** I declare the motion carried.

The bill is therefore ordered for third reading.

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the 15th report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

### HIGHWAY MEMORIALS FOR FALLEN POLICE OFFICERS ACT, 2001

### LOI DE 2001 SUR LES CONSTRUCTIONS SITUÉES SUR LA VOIE PUBLIQUE ET NOMMÉES À LA MÉMOIRE DES AGENTS DE POLICE DÉCÉDÉS

Mr Bartolucci moved first reading of the following bill:

Bill 128, An Act to permit the naming of highway bridges and other structures on the King's Highway in memory of police officers who have died in the line of duty / Projet de loi 128, Loi permettant de nommer des ponts et d'autres constructions situées sur la route principale à la mémoire des agents de police décédés dans l'exercice de leurs fonctions.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Rick Bartolucci (Sudbury):** I'm going to read the preamble to the bill, which is very short but I think summarizes what every member in this House believes.

"We, the people of Ontario, are forever grateful to the dedicated police officers who have courageously and unselfishly given their lives in the line of duty. Our debt to them can never be repaid.

"We are also forever grateful to Ontario's police officers who have demonstrated extraordinary courage by giving their lives to preserve our free and peaceful society.

"We must never forget the contribution of those men and women to whom we owe so much. As a gesture of our respect, we seek to honour them by permitting the

Legislature to name highways, bridges and other structures in their memory.”

Therefore, this bill permits the Legislature to name highways, bridges and other structures on the king's highway in memory of police officers who have died in the line of duty.

1400

ONTARIO SOCIETY FOR THE  
PREVENTION  
OF CRUELTY TO ANIMALS  
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI  
SUR LA SOCIÉTÉ DE PROTECTION  
DES ANIMAUX DE L'ONTARIO

Mrs Munro moved first reading of the following bill:

Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 129, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mrs Julia Munro (York North):** This bill makes it possible to define puppy mills in a way that gives the Ontario Society for the Prevention of Cruelty to Animals the tools they need to eliminate puppy mills in Ontario.

COMMUNITY CARE ACCESS  
CORPORATIONS ACT, 2001

LOI DE 2001 SUR LES SOCIÉTÉS  
D'ACCÈS AUX SOINS COMMUNAUTAIRES

Mrs Johns moved first reading of the following bill:

Bill 130, An Act respecting community care access corporations / Projet de loi 130, Loi concernant les sociétés d'accès aux soins communautaires.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Speaker, I will defer until ministers' statements.

VISITORS

**Hon David Young (Attorney General, minister responsible for native affairs):** On a point of order, Mr Speaker: We have four very special guests with us today in the members' gallery. I thought I would take just a moment to introduce them.

We have Julian Hwang, Nicholas D'Amico, Michael Fine and my son Cory Young who have joined us.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

COMMUNITY CARE ACCESS CENTRES

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I rise in the House today to introduce the Community Care Access Corporations Act, 2001. This bill is part of a comprehensive strategy to strengthen accountability in the community-based long-term-care sector, a sector that manages a budget of more than \$1 billion. This act would result in improving community-based services for Ontarians who need them.

First, though, let me briefly explain how we got to this point. CCACs can be proud of what they have accomplished in just the three years since their inception. They have made remarkable strides to provide one-stop shopping for long-term care for the people of Ontario.

However, there is an undeniable need for improvements in the operations of the province's 43 CCACs. In fact, the CCACs asked our government for standards, direction and improvements regarding their operations. Consequently, we initiated one province-wide program review of CCACs and an operational review of the Hamilton-Wentworth CCAC.

The province-wide review, which was conducted by PricewaterhouseCoopers and released this past summer, found a number of areas where CCACs needed strengthening to meet their mandate of serving Ontarians efficiently and effectively. These areas included financial accountability, fiscal practices and quality management strategies.

Similarly, the Hamilton-Wentworth operational review revealed deficiencies in many areas. It was evident that there was a minimal understanding of the factors contributing to the deficit. The board had a critical shortage of staff members with business skills or experience, there was poor understanding of how to correct the situation of growing expenditures, and there was no effective monitoring or management of service utilizations and caseloads.

This led to the appointment of a ministerial designate to manage the operations of the CCAC and to ensure the review's recommendations were implemented.

As everyone here knows, I was recently asked by the Premier to develop a strategy for the future of CCACs. During that process, we met with more than 35 organizations and talked to nearly a dozen stakeholder associations, toured CCACs and held multiple briefings on key issues of concern. The end result of this is an overall business strategy detailing operational and system changes, in addition to the proposed legislation that I am introducing in the House today.

I want to emphasize the collective resolve that has characterized our work. The political will was matched by the bureaucratic determination, by the commitment of many concerned individuals in the 43 CCACs and by the

anticipation of the service providers in the field. That collective forward movement has been most gratifying to experience and I'm proud of the legislation that we're proposing today.

Let me take a moment, Mr Speaker, to refresh your memory about Ontario's network of 43 CCACs. The community care access centres offer simplified access for Ontarians in need of community-based services, home care, housekeeping, long-term care facilities and a hospital discharge program under a single umbrella. Every month, thousands of Ontarians receive home care services through their local CCAC. These range from nursing care and therapy services to homemaking, to housekeeping and personal support services.

Each of the 43 community care access centres is responsible for a multi-million-dollar budget, and collectively they ensure the provision of services to over 400,000 Ontarians and their families every year. The Ontario government provides \$1.17 billion in funding to CCACs, an increase of more than 70% in home care services funding since 1995.

Some of the key areas of the Community Care Access Corporations Act, 2001, are: the authority to designate by regulation each individual community care access centre as a statutory corporation; following designation of the CCAC, the authority to appoint board members by order in council; following designation of a CCAC, the authority to appoint its executive director by OIC appointments; and the authority to determine the number of CCAC board members, most likely between five and seven.

Let me expand on these provisions. Following the designation, CCACs under the Community Care Access Corporations Act, 2001, would become statutory corporations that must comply with all ministry policies, directives and guidelines. Executive directors and their members of the board of directors of the CCAC would be appointed by order in council. To support the CCACs as they move into the next stage of development, the OIC-appointed board members and the OIC-appointed executive directors will be provided with orientation on their governance responsibilities. We expect many of the current CCAC CEOs and board members to stay on in their new positions and, of course, the staff of the CCAC will be totally unaffected by the changes required by this legislation.

1410

There has been considerable discussion about the challenges to improve linkages among health care providers that serve the community care sector in the province. As part of the government's commitment to enhance services to the public and promote integration in the health care system, each CCAC board will be required to establish a community advisory council to provide a forum for identifying issues of concern among the partners that CCACs link with, specifically hospitals, long-term-care facilities and other community support services.

The advisory council will meet regularly to address issues of how best to serve people in the community with

the resources available from all sectors of the health system. This will enable hospitals and the CCACs to work together to smooth transfers for patients, ensuring that plans are developed to support the care needs of Ontarians. As well, it will mean that the system issues arising from problems that people face entering long-term-care facilities will also be better resolved.

It will also ensure that community support services and CCACs work together to provide the most appropriate services for their communities and that case managers understand the community services that are available.

As part of our strategy to enhance CCAC services to clients, in addition to this bill we will promote a series of measures that will provide a framework to improve the business practices of community care access centres. These will provide consistent approaches to the work that case managers do across the province.

As an example of these tools, a province-wide system requiring CCAC case managers to manage budgets for their caseloads will be implemented. The case manager's role will be clarified through province-wide training and a common assessment tool. This will be developed to equip the case manager with a systemized and evidence-based method of identifying the needs of all clients.

The CEO of one of our CCACs says that the budgeting tool she has already implemented in her CCAC "ensures services are provided in an equitable, responsive, and accountable manner. It supports the case manager's professional judgement in making the best use of available resources to meet individual client need."

Furthermore, we will work with the Ontario Association of Community Care Access Centres to identify best practices that can be explored for implementation into the management and case management systems.

New accountability responsibilities that would be required of CCACs include: creating a strategic plan to meet the government's vision and objectives; establishing accountability relationships throughout the organization; developing evidence-based performance indicators that would allow them to evaluate their own performances; regular and consistent monitoring and reporting to ministry offices on CCAC activities, including budget and service outcomes; strengthening our service agreements to ensure consistent expectations and clear requirements in the operation of all CCACs.

There will be no changes to the current request for proposals process for services, but we would improve training to strengthen CCAC business expertise in contract management, with an aim of facilitating consistency across the province.

We propose to change placement coordination processes to streamline the procedures and ensure that appropriate clients are placed on long-term-care facility waiting lists.

We intend to move forward with a province-wide information system so that we can compare CCACs throughout the province. With this system there will be common and comparable data that will ensure services

are being provided to every community in Ontario. This will allow us to ensure that precious health care dollars are focused on client needs. We will also be developing best practices and benchmarks based on performance measures.

Our government wants to ensure a strong community care system where the right people are able to access the right services at the right time.

The last three years have clearly shown that changes have to be made to CCACs if they are to achieve their potential as a key part of Ontario's health care system.

I urge to everyone in the House that this bill, the Community Care Access Corporation Act, 2001, receive swift passage. Nothing is more crucial to the citizens of the province than the assurance of quality health services delivered by health providers who are accountable to Ontario's taxpayers for how their health dollars are spent.

The steps we are taking today will improve the accountability, consistency and coordination of community care access centres across the province. The measures I have just outlined are essential to the operation of community care access centres, as well as ensuring that CCACs meet their mandate effectively and efficiently with the patients' needs at their heart.

#### TAKE OUR KIDS TO WORK DAY

**Hon Chris Stockwell (Minister of Labour):** Today, parents across Ontario are taking their children to work with them as part of the Learning Partnership's Take Our Kids to Work Day. This day is an important opportunity for all our sons and daughters to learn what we do every day. It gives first-hand experience of the workplace they will soon be entering.

Regrettably, today also marks the first Take Our Kids to Work Day since last year's tragic deaths of two children at a worksite in Welland. I know all our members join me in offering condolences to the families and fellow students who must live with this very terrible loss.

This past year, the Learning Partnership has worked together with the Ministry of Labour and our other partners in Ontario's health and safety system to make sure that children taking part today are safe. I want to congratulate the Learning Partnership on the steps they have taken to make today safe and rewarding. An expert panel, established following the tragedy in Welland, examined all aspects of this program. The 14 recommendations of the panel have been fully implemented by the Learning Partnership. These recommendations include mandatory supervision of all students at all times; sessions on health and safety rules for students; a ban on driving motorized vehicles; and special supports, including a guide for teachers and employers involved in this program.

I am pleased to say that the 14 recommendations of the expert panel, which have already been implemented, go above and beyond those of the inquest jury that examined this tragedy. The Ministry of Labour has responded to the inquest jury's recommendations as well.

The ministry continues to wholeheartedly support Take Our Kids to Work Day. Right now, a group of grade 9 students is touring ministry offices learning how government works, and they are also visiting the Legislature this afternoon. Our guests have already been given a full safety orientation. Our managers have also been given the Learning Partnership's new workplace guide and have been fully prepared to ensure the safety of our students and staff. We are committed to making Take Our Kids to Work Day a safe learning event in our offices and in all our workplaces across the province.

I urge all Ontario workplaces to support the Take Our Kids to Work program and to use it as an opportunity to show leadership in demonstrating safe work practices and proudly showcasing the goods and services they contribute to Ontario's economy.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Sandra Pupatello (Windsor West):** This side of the House cannot believe this minister would stand up and drop this piece of legislation—do this to home care and community care access centres across this province. They were demanding that this government help them. You knew, Minister, and everyone on this side of the House knew, that people were doing without services. What you decided to do today to try to remedy that—remedy what you created, which was as clear as mud in terms of governance—was to take it over. This is the Ontario government's notion of gagging anyone who says the services aren't enough, that they are not adequate for people.

This is the new theme of the Ontario government. "Shut your trap" is what you tried to tell members of the opposition and members of the public today who dare to speak up for patients, who dare to stand up and say, "We need good health services."

"Shut your trap" is what we're being told today. That is just the way—

1420

**The Speaker (Hon Gary Carr):** Order. It's hard to keep order when you use language like that. It could be said in the same way in a different tone. I would ask the member to try and take that into consideration. It's very difficult to control when you use language like that. They just begin yelling and it's very difficult. Sorry for the interruption.

**Mrs Pupatello:** This is vindictiveness on the part of this government. This government knew that CCAC boards were finally speaking up. They were saying, "We need help." They said, "We need standards." They say, "We had inadequate funding to do what you were telling us to do." This government's response was to gag them with this bill; to suggest that those boards no longer exist and you will now appoint the people that you want who are going to do your bidding.

Here's that Pricewaterhouse report that you dared to reference in your speech today, Minister. Do you know what this report said? It called for standards in home

care. It said we have to decide what is right for people to get in home care when they reach their home. Some 70% of patients are sent from hospitals today, Minister. These people are not getting adequate care. This government's response was musing about the potential of user fees. Now we can't get one minister to say yes or no as to whether you're going to introduce user fees in the home care sector. But today you solved all your problems, or so you think. You figure you'll just fire the lot of them that chose to act as advocates for patients. You sent them out the door, Minister, and you are now going to appoint the people that you want.

This Minister of Health knew a long-term-care act has been sitting on his desk for three years. Where is that act? That act is nowhere to be seen.

Where are all of the standards that we asked for in 1997 when you brought these community care access centres in? We said you have to set the standards. You let the horse out of the barn without the fundamentals that these people needed to deliver good care.

What are we going to do today for Kitchener-Waterloo, which is suffering from \$12 million of deficit because they can't service their clientele? What are we going to do for Halton: \$6 million, not servicing their community? What do we do for York region: \$12 million? We have their own local MPPs saying it's all their fault.

Are you going to solve these problems now by shoving them out the door and have your government lackeys come in and do your dirty work? That's the answer that you have for the elderly, the infirm, the people that need help? You're sending their advocacy out the door and you're bringing in your government appointments.

Minister, that is wrong. It is wrong to gag the public. It is wrong to gag the very people who came in to work for the community, give them the health care they needed, even though you were tying their hands in the area of funding. How dare you reference a report that said you're lacking funds. That's what the report said and you ignored that. This is the report that said we need standards and you ignored that. This is the report that you called for, Minister, not this diatribe that you just read. It's nothing but garbage.

We said to you that you need to fund properly for the services that are required today. The people of this province demanded it. It was this government that changed the mandate of what a community care access centre would be. You decided that 70% of these people are coming out of hospital, Minister, and now you're doing absolutely nothing for them.

Not only that. Finally, after three years, people are starting to learn the only way they could get somewhere was to actually act as advocates for their patients, and now you throw them out the door. Gag them, muzzle them; that is the feature of this government, and now you're doing it again.

Speaker, we know what we suffer in this House to be told, "Shut your trap," by members opposite. That's just

the way it is in this House. That is not going to go anywhere, Minister. I will commit today that people will speak out louder than ever. People will speak out louder than ever.

**The Speaker:** Further responses?

**Mr Howard Hampton (Kenora-Rainy River):** I think people across Ontario should watch this legislation that is being introduced today with great care, because what this is all about is in effect a centralization and a takeover of what have been called community care access centres. This is a government that doesn't want community care access centres giving out information as to what kinds of patients are now being cut off or being restricted or limited in terms of their access to community care. This is a government that doesn't want the public out there to know what kinds of companies are getting literally tens of millions of dollars of government contracts with absolutely no accountability. The government doesn't want people to know, for example, that companies like Comcare and Dynacare and Olsten don't have some of the best track records, either in Ontario or elsewhere in North America, in terms of delivering care.

So to keep all of that out of the media and to keep it out of the public discourse, the government is essentially taking over the community care access centres. And if you read some of the details of the legislation, it is making sure that less information than ever before about how \$1.4 billion of public money in health care is spent is ever out there for the public to see.

Just look at section 18 of the bill. Section 18 of the bill basically says that the minister can make available the annual report from the CCAC but then can decide to make no other information available. That is a complete takeover and a complete attempt to shut the public of Ontario out of basic information about how ill, frail seniors are being treated, about how chronically ill patients are being treated, about the quality of treatment they're receiving, or the lack of treatment they are receiving, which is more and more becoming the case.

To give you another example of how complete this takeover is, section 15: a community care access centre can no longer convey property, can no longer purchase an interest in property, cannot even appoint a person to a management position without the permission of the Lieutenant Governor in Council; in other words, without the permission of the government. This is an attempt now to run community care access centres, to run home care, from Toronto, from the minister's office.

There are a lot of problems out there. Some of the biggest problems are with the private companies, the private, for-profit companies that are mandated by this government to in fact provide community care access, to provide the home care. Is there anything in this legislation which is going to make those private, for-profit companies more answerable, more accountable? Nothing. Nothing.

This government is prepared to cover up for some of those private, for-profit companies which have horrendous records in the United States and horrendous records

where they've been in business elsewhere in Canada. The government's not going to do anything about that; in fact, they are going to cover up for them. And as far as those people who are working in communities, who are trying to respond to the community, who are trying to work out there with seniors' groups and with organizations representing seniors, they are the very ones who are being taken over.

This doesn't respond to any of the needs out there with respect to home care. This doesn't provide the funding that is available. This doesn't provide any of the expertise that some of the community care access centres are asking for. This doesn't provide any freedom from the cutthroat contracts, the cutthroat bidding that this government has encouraged. It doesn't do anything about that. In fact, it's going to encourage it even more. It's going to set up almost a direct relationship between this government and those private, for-profit corporations, and it's going to shut the community activists, the community volunteers, out of the process almost entirely.

People across Ontario need to understand that there won't be community care any more; it will be ordered out of the minister's office and it will be provided by the private, for-profit corporate friends of this government, and everyone else is shut out.

#### VISITORS

**The Speaker (Hon Gary Carr):** Just before we begin, we have with us today in the Speaker's gallery the federal interns. Please join me in welcoming our special guests from Ottawa.

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#### ORAL QUESTIONS

##### TAX CUTS

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. Six months ago in the budget, you predicted a balanced budget for next year and 3.5% real growth. Yesterday you painted a substantially bleaker picture, where economic growth will be but 1.3%. According to your own numbers, that means the revenue drop will be about \$1.5 billion, leaving a \$1.5-billion problem to balance the budget and, I assume, cuts of \$1.5 billion. You also announced yesterday your plan to proceed with corporate taxes 25% lower than our competitors in the US, at a cost of \$2.2 billion.

My question is: knowing in the picture you painted yesterday how tough it's going to be to sustain our education and health, will you agree today to cancel your plan to cut corporate taxes 25% below the US and simply leave them at the current rates, which are competitive with the US?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** We will lower taxes to promote economic

growth and to leave more money where it belongs, in the pockets of Canadians.

"Canadians are entitled to keep more of the money they earn. After all, they worked for it; it's theirs." Those are not my words. Those are the words of the federal Minister of Finance in question period in Ottawa. The Liberals at Queen's Park are the only political group I know of in Canada who still don't understand that you can increase government revenues and have substantial medium- and long-term growth by reducing taxes: personal income taxes, corporate income taxes and capital tax.

Not only are we going to continue with our tax cuts, we are accelerating the tax cuts from January 1 to the beginning of October. It's the best fiscal policy for the province of Ontario. In fact, the Harris government has proved that over the course of the past six years. Our revenues over the past six years have grown by some \$15 billion since we began the program of tax reductions.

**The Speaker (Hon Gary Carr):** The minister's time is up.

**Mr Phillips:** I want to continue on your tax cuts, Minister. In 53 days, on January 1, your \$300-million tax cut to fund private schools will begin. You signalled yesterday that we face huge challenges in maintaining our support for public education, but in 53 days you will begin to implement a plan to provide at least \$300 million in funds for private schools.

I say to you again, Minister, recognizing the very dramatic changing conditions in the last six months, will you today agree to cancel your plan to provide at least \$300 million of support for private schools and keep that in the treasury so we can make certain we have the maximum amount of funds to sustain our health care system and our education system?

**Hon Mr Flaherty:** We are committed to choice. We are committed to working-class and middle-class parents who, for religious and cultural reasons, choose to send their children to alternative schools, to private schools in Ontario.

The member opposite forgets to mention that people who send their children to alternative schools in Ontario pay their full taxes. They fully support the public school system, our four public systems in Ontario: French Catholic, French public, English public and English Catholic. These people pay out of their pockets. In addition to their public school taxes, they also pay sums of money to send their children to alternative schools. We believe they should have that choice and some support from the people of Ontario in that regard.

Now that Ontario has made this decision, more than 90% of the families in Canada—every family west of Quebec—have that option in our country.

**Mr Phillips:** What I understand is what you said yesterday; that is, we are facing an extremely tough situation. You promised a balanced budget six months ago. Your own numbers say we're going to be \$1.5 billion short. We have a serious problem. Ontarians understand that. Yet you're proceeding with corporate taxes

25% lower than the US, and you're proceeding with a plan to put \$300 million into private schools when you have already told us we're going to have severe problems with health and education next year.

I say to you again, Minister, what is the rationale for corporate taxes 25% lower than the US and \$300 million put into private schools when you've indicated we have severe problems with our health and education systems? Give Ontario the rationale for that.

**Hon Mr Flaherty:** Corporate tax reductions create jobs. They encourage corporations to invest in plant and equipment and to hire more people. Indeed, that has been the history of Ontario in the past six years.

It sure wasn't the history of Ontario under your government from 1985 to 1990. High taxes, high spending, increasing the retail sales tax from 7% to 8%, bringing in a new tax on tires, increasing personal income taxes, increasing corporate taxes: that's what your government did. That's what you Liberals at Queen's Park believe in. Look at what you left during the last economic slowdown. You left a vulnerable government in 1990-91.

Fortunately, Ontario now has a solid foundation, thanks to six years under the leadership of Premier Harris, including tax reductions. Thank goodness we're not in the condition you left Ontario in in 1990-91.

#### HEALTH CARE FUNDING

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Finance and Deputy Premier. The whole purpose of yesterday's economic statement was supposedly to shed some light on the province's finances. One day later, the Minister of Health could not tell Ontario hospitals how much money they are receiving. He said, "Cabinet's deferred that decision. Please stand by."

Ontario's sick cannot wait until you guys get your stuff together. While you delay your programs, they are being cancelled. Hospitals are delaying surgery. Our emergency wards are still full. Nurses are being fired. Patients are being turned away. It's happening right across the province, not just in Ottawa and London.

Minister, how is it possible that one day after your economic statement you don't know how much money there is for Ontario's hospitals?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I think the member opposite is speaking about next year's budget. Certainly for this year we have budgeted an increase of 6.9% in health care spending. That's the fact in Ontario: almost 7% higher spending on hospitals this year and, in addition, \$300 million this summer. In fact, no government in the history of Canada has spent as much on health care as this government. Spending on health care in Ontario has increased from \$17 billion to more than \$23 billion this year. That's an increase of \$6 billion in the course of the past six years.

Our concern, of course, is that our federal partners are not keeping pace on health care spending. That's a great

concern not only for the people of Ontario but for people in all the provinces across Canada.

I can tell you the finance ministers across Canada spoke with one voice to the federal finance minister 10 days ago when we met in Ottawa: they must be full partners in health care.

**Mrs Pupatello:** Minister of Finance, shame on you. Every time Ottawa gives you a dollar for health, you give it away in a tax cut. That's what you do with federal money that belongs in the health system. Shame on you.

I think you need to go over and talk to the Minister of Health, because if you decided you were giving hospitals a whole whack of dough for all their deficits, you'd think he would have announced it this morning while he was talking to all the hospitals. But he didn't. Instead, what he said was that your wait-and-see approach is the "least sensible one." He said your approach, frankly, was leading to perverse consequences.

It's November. The year is almost over. Hospitals across the board are facing deficits and haven't heard a word of sustenance from the Minister of Health. Cabinet has deferred the decision. I ask you again: how long does the world have to "Please stand by"?

**Hon Mr Flaherty:** In response, Mr MacKinnon, the head of the Ontario Hospital Association, appeared before the Kirby committee in Ottawa, the Senate committee that was examining health care. He indicated to that committee that insufficient funding by the federal government to the provinces is one of the major reasons there are such service delivery problems in some provinces with respect to health care.

Certainly the head of the Ontario Hospital Association understands. What I don't understand is how the Liberal member opposite can defend the federal government as it fails to provide adequate health care funding, as our partner, in the province of Ontario. I thought she cared about health care. I thought she cared about services for the people of Ontario.

Certainly Mr Martin has come along and he understands the importance of tax cuts. The members opposite don't even understand the importance of tax cuts yet. Worse than that, they don't appreciate the fact that we need to have an equal partner in Ottawa supporting health care if we're going to be able to deliver those services—

**The Speaker (Hon Gary Carr):** The minister's time is up.

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**Mrs Pupatello:** Minister of Finance, shame on you. Every time Ottawa gives you a dollar in health care you give it away in a tax cut. That's the reality of your history here. Every increase in the last budget of this government was federal dollars from Ottawa. So don't be zooming the public about money from Ottawa. Here's the reality: we have hospital deficits across the board in Ontario and this Minister of Health could not tell them this morning how they were going to do this, how they were going to deal with it. We are toward the end of November and they don't know how much money they're getting this year, never mind next year.

*Interjections.*

**The Speaker:** Order.

**Mrs Papatello:** Minister of Finance, I recognize you have a significant amount of chaos on that side, but hospitals, more so people—

**The Speaker:** Member take her seat. Minister of Transportation, I just called order and you're standing there right in front of me with your gestures at the member.

*Interjection.*

**The Speaker:** You were so. I saw you two seconds ago. Don't do it, please. Sorry for the interruption.

**Mrs Papatello:** Minister of Finance, here's the point. You have chaos on that side of the House. We need to understand whether Ontario hospitals will be able to cover their deficits or not. The Minister of Health told them today, "Don't worry about it, run deficits." You were talking about accountability and that they couldn't do that. You appeared yesterday to say they might have some. Why wouldn't the Minister of Health have told them that? There is utter confusion here. How will you deal with this? How long will you tell them to please stand by?

**Hon Mr Flaherty:** There's a great deal of confusion in this House and it's on that side of the House, I can assure you. The confusion is that unlike every government in this country, you don't yet understand that if you reduce taxes you'll increase investment. Paul Martin understands that. What Paul Martin and the federal government don't yet have right are the priorities. The first priority of the Canadian people is health care and the delivery of health care services. If you actually care about health care services and their delivery to the people of Ontario, then speak to your federal cousins and tell them that the number one priority is health care, that they can't sit there paying 14 cents on the dollar and say—

*Interjection.*

**The Speaker:** Sorry for the interruption. Order. The member for Windsor West, you've asked the question. You can't ask the question and then shout at the person for the entire minute when they're trying to answer the question. You get a question on today and then all you do is shout across. I'm not going to continue with it. This is your last warning. If you continue to ask a question and then shout at the minister when he's trying to answer it, you're going to be thrown out and you won't get another question in here today.

**Hon Mr Flaherty:** Certainly the hospital association through Mr MacKinnon understands the federal government is not fulfilling its partnership obligation to the provinces. It's regrettable the members opposite are confused in their priorities as well. Their number one priority apparently is not health care; it's something else. I'm not sure what their number one priority is, but we know what our number one priority is on this side of the House—

**The Speaker:** Order. The minister's time is up.

## PAYMENTS FOR LOW-INCOME CHILDREN

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance as well. You announced yesterday that some low-income families with children in the province will receive a \$100 one-time cheque. When we looked at the fine print, the lowest-income children in the province, those children whose parents have to rely on the Ontario disability support plan, who have had their benefits frozen for six years, will not receive a benefit. Children whose parents have lost their jobs since May, and there are 29,000 of them, will not receive this benefit. Children whose parents are forced to rely on Ontario Works, social assistance—again some of the poorest children in Ontario—will not receive this benefit.

How did you decide that 200,000 families in Ontario would receive this \$100 benefit, but that literally hundreds of thousands of other families who are very poor, who are much poorer, would receive nothing. What were the criteria?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** So that there will be no confusion or misunderstanding, persons who are on social assistance in fact right now receive a winter clothing allowance which is paid in the month of November, which is more than \$100. It's actually \$105 per eligible child for children aged between birth and seven years of age. That benefit is there. That's a benefit that happens every November.

With respect to unemployed people, if they qualify under the Ontario child care supplement for working families, when they fill in the form then of course they'll qualify for the \$100 payment. The payment can be more, of course. It is more, depending on the number of children in the family.

**Mr Hampton:** That was a wonderful attempt at a diversion, but everybody out there knows it's simply not true. Somebody who is just laid off will not be entitled to the child benefit for working families, and somebody who has to rely upon the Ontario disability support plan. Think of all those parents out there who are disabled with children. They will not get this benefit.

I ask you again, Minister: how did you decide that the poorest children in this province would be excluded, would get nothing, and yet you selected 200,000 other families and said, "We're going to give you \$100 for Christmas"? What are the criteria? How do you exclude some poor children and then say to others, "But we've selected you"?

**Hon Mr Flaherty:** Again, the member opposite is misinformed. So that the people of Ontario will not be misinformed, they should know that persons on the ODSP, the disability plan, also receive \$105 per eligible child in the month of November for clothing. Once again, the member is wrong. The social assistance payment of \$105 happens in November. The ODSP, the disability payment, also happens in November.

What we have addressed here—and this is important. These are the working folks who are hit hardest by the effects of September 11. We heard about that during the pre-statement consultations, that those are the folks who are suffering reduced working hours, some of whom have been laid off. I'm sure the member opposite agrees with me that it's the right thing to do, to give them a \$100 supplement for their kids at Christmastime.

**Mr Hampton:** Again, I would say to the minister, nice try at confusing people. You know that somebody who receives disability assistance or someone who receives social assistance will get the money for a winter clothing allowance and has been for some time. Now you're saying, for some reason, you're going to pick 200,000 families and you're going to give them an additional \$100. I just say to you, how do you exclude these other families? How do you come along now and say these families receive another \$100 and these other families do not?

Similarly, how do you decide that children seven or under receive a benefit, but as soon as a child turns eight there is no benefit? How do you make that decision? It would seem to me that an eight-year-old child would need winter clothing just as much as a seven-year-old. How do you make these decisions to exclude some poor children, but then say to others, "Oh, but in this case we want to make a press release, so we're going to give you \$100"? What are the criteria, Minister?

**Hon Mr Flaherty:** The criteria are: be a resident of Ontario; be eligible to receive the Ontario child care supplement for working families, which is a wonderful program introduced by our government several years ago; receive the Canada child tax benefit; have children under age seven; have the appropriate income level or qualifying child care expenses; and have family employment earnings for the 2000 tax year over \$5,000.

The \$105 payment does cover families on social assistance. The \$105 payment also covers disability situations where someone is eligible for the ODSP. This additional payment will cover working families who are entitled to receive it under the Ontario child care supplement for working families.

#### TAX CUTS

**Mr Howard Hampton (Kenora-Rainy River):** To the Minister of Finance: the former Minister of Finance is so impressed with your answers that he's coming back out of retirement. I think that is the biggest comment upon your performance as Minister of Finance.

You were told last year, during the pre-budget consultations, that Ontario's economy was in trouble, yet you blunder ahead with \$2.5 billion in corporate tax cuts, you blunder ahead with other personal income tax cuts for the well-off, and now you're forced to admit that health care, education and many of the services that people depend upon are in trouble.

Tell us again, Minister, how do you justify putting forward \$2.5 billion of corporate tax cuts, \$300 million in

tax cuts for private schools, and then you turn to the people of Ontario and say, "Oops. Sorry. We may not have the money for health or education this year"? How do you do that?

1450

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** We've heard in the House in recent days the leader of the third party advocate for tax cuts, where he comes forward and says the provincial government should reduce the retail sales tax, presumably because he thinks that's good policy. That's an acknowledgement, of course, that in the reduction of taxes you can encourage economic activity in the province. I think that was the honourable member's point when he was asking us to reduce that type of tax.

It's inconsistent for him now to say, "Don't reduce other types of taxes. Don't reduce personal income taxes. Don't reduce corporate taxes. Don't reduce any other kind of tax." The rationale is the same. The creation of economic activity—more jobs, more investment, more taxpayers, more taxes getting paid—increases government revenues over the medium and long term in Ontario.

**Mr Hampton:** Minister of Finance, or soon-to-be former Minister of Finance, the point is this: the economy is in trouble. Consumer confidence is declining. Governments around North America are trying to think of ways to address consumer confidence. You don't do it by giving more tax cuts to corporations; you do it by saying to consumers, "We're going to cut the retail sales tax so you can afford to make some purchases." That's the difference.

You're not doing anything. Your financial statement yesterday did absolutely nothing to address the recession. Essentially what you said is, "I have no new ideas, so I'm just going to continue to give money to corporations. I'm going to continue on the course I already set, and then I'm going to say to people, 'Oops. Sorry. We don't have the money for health care. We don't have the money for education. And oh, by the way, I can't do anything about consumer confidence either, because I gave all the money away to my corporate friends.'"

Don't you have an original idea on how to battle a recession, on how to help people who are laid off, on how to put some construction money out the door so communities can begin those construction programs?

**The Speaker (Hon Gary Carr):** The member's time is up. Minister?

**Hon Mr Flaherty:** I think there was a question there somewhere. In terms of consumer confidence, David Dodge, the governor of the Bank of Canada, was speaking this morning and was talking about the importance of consumer confidence. We're fortunate in Ontario to have that kind of consumer confidence because of the sound fiscal planning in the province over the course of the past six years. We have three balanced budgets in a row, and we'll continue to plan balanced budgets in the province of Ontario.

We have low, competitive taxes. We have substantial net income gains by the people of Ontario over the course of the past six years.

Yesterday, the Retail Council of Canada spoke to this issue of consumer confidence. It said, "When Retail Council of Canada met with [Minister Flaherty] on October 31 in advance of today's economic statement, we asked that he consider taking measures that would help build consumer confidence and consumer incomes, especially for Ontarians of modest means. We are delighted that he listened to and acted on our recommendations."

Not only will the \$100 bonus to children—

**The Speaker:** The minister's time is up. New question?

### HOSPITAL FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** This is for the Minister of Health. Minister, yesterday your colleague the Minister of Finance presented a second-quarter statement that suggested there might be more money for hospitals. We can only assume there is no new money here since you made no mention of new funding in your speech to the hospital association this morning. What you did tell the hospitals was that cabinet had deferred any decision on hospital funding for next year, and in fact you didn't seem to know exactly how much money hospitals were going to be getting this year.

You suggested this morning, Minister, that your government's current funding approach—and I quote from your speech—was "the least sensible process." Minister, for once I agree with you. We all agree with you. Having hospitals forced to cut their programs, to lay off staff, to run waiting lists for surgery and then at the end of the year coming through with money makes no sense at all. So I ask you, how is it possible that the Minister of Finance continues to play games with hospital funding? Does he not understand the consequences of not making it clear to hospitals what their funding is going to be?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Indeed, we as a government are committed to ensuring that hospitals receive their funding from the public purse as early as possible. From our perspective that is a desirable goal and still is a desirable goal.

As evidenced by the statement by the Minister of Finance yesterday, we are aware that the economy is in a period of uncertainty that none of us ever anticipated or expected and I believe we've discussed it in this House from numerous different facets. The fact of the matter is that since the attacks on America, since September 11, it would not be prudent, would not be wise to predict with any degree of certainty what government revenues will be for next year. For this year, I can say to this House with absolute certainty that the record amount of funding for hospitals of \$8.7 billion is happening, will be happening, is part of our budget and will continue to be part of our budget. But we have to recognize the uncertainty of the future. As soon as we have a more certain outlook

and prospect, we certainly will transmit that to the hospitals.

**Mrs McLeod:** Minister, the other thing you made clear to the hospitals this morning was that you thought they should receive multi-year funding but you couldn't get your cabinet colleagues to agree with that. It seems unusual that colleges and universities have multi-year funding. The Minister of Colleges and Universities was able to persuade her cabinet colleagues that universities need long-term funding so that they can do their planning. Surely you would agree that hospitals need as much, particularly since you and your predecessor have had a new funding formula for hospitals sitting on your desk for a least three years now. But for some reason, the Minister of Finance wants to keep hospitals hanging.

You also know, Mr Minister, that the Minister of Finance has a proposed law before the House right now that would force hospitals to eliminate their deficits. But you went to the hospital association meeting this morning and you told the hospitals that since they don't know how much money they're going to get, they don't have to balance their budgets this year. In fact, you said, "Cabinet has agreed with me that I will not pursue balanced budget requirements for hospitals until such time as multi-year funding has been announced."

Minister, I don't know who's winning the cabinet fight, whether it's you or the Minister of Finance, so I just have one question for you today. You have just told hospitals that they can indeed run deficits. Does that mean that the London Health Sciences Centre and Queensway Carleton Hospital can now cancel the cuts they've made to their programs?

**Hon Mr Clement:** There's a whole bunch of questions in that question—

**Interjection:** And assumptions.

**Hon Mr Clement:** And assumptions; thank you. From my perspective, I think hospitals continue to have an obligation to deliver excellent, accessible, quality care in a manner which is clinically acceptable. That is true for the London hospital; that's true for any other hospital in the province of Ontario. That is a standard by which we judge them and by which we expect them to meet our expectations and standards. I can assure this House that that continues to this day.

We do have budgets for hospitals this year. It is a record budget. And we do expect our hospitals to continue to be accountable. In fact, the Ontario Hospital Association is partners with us when it comes to accountability, when it comes to ensuring that patients and their satisfaction are put in the forefront. We are the government, after all, that published the first-ever hospital report card in conjunction with the Ontario Hospital Association to ensure that patients have a say and have an opinion that is published about the bedside manner and about the satisfaction of their hospitals. That project, that task, continues to this day. We are there as partners to the hospital, we know that we have uncertain times and we are taking the difficult but necessary decisions within that context.

## WATER QUALITY

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** My question is for the Minister of the Environment. Madam Minister, the recent changes in the drinking water protection regulations have put increased pressure on homeowners who are served by community wells. While the citizens of rural Ontario who are served by these smaller drinking water systems understand the need for tougher drinking water standards, they're worried about the cost of attaining the tougher standards. At least one community has told me it may cost as much as \$10,000 per household. Does the Ministry of the Environment have a solid plan of action that will help these residents of rural Ontario to handle the anticipated increased costs?

**Hon Elizabeth Witmer (Minister of the Environment):** As the member knows, our priority is, first of all, to ensure that all Ontarians, no matter where they live in this province, have access to safe, clean drinking water. I have heard concerns expressed by the member, and I've also heard concerns expressed by the member for Parry Sound-Muskoka, about how these small communal systems are going to meet the drinking water protection regulation. We have had consultants hold 28 consultations across Ontario to learn first-hand about some of the concerns and also to receive suggestions as to how they could comply with the water protection regulation. We've also had the opportunity to ensure that consultants visit some of the communal systems, such as the private communal wells, the campgrounds, the gas stations, the motels and the restaurants. We have been gathering the information and supplying free training and also preparing a user-friendly guide.

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**Mr Tilson:** We're all interested in having the safest drinking water possible and we expect our government to ensure tough drinking water standards. In my riding of Dufferin-Peel-Wellington-Grey, there are a number of small rural subdivisions that have been meeting throughout the summer and fall with their municipal councillors to decide what would be the best way to deal with these increased costs. These municipalities and the people who live in these subdivisions understand what you have done, but they're concerned about what the provincial government is now going to do to help them. I would like the minister to tell us of her plans and initiatives for consultations and other areas and of any involvement with the municipalities.

**Hon Mrs Witmer:** We have been gathering data and listening to the owners and the operators of the small communal systems. Based on the information we have received and the excellent suggestions they have made as to how they could be in compliance with the drinking water protection regulation, it would be our plan now to have further consultations with all those who will be impacted, to ensure that the regulations and all the guidelines that are going to be introduced are such that they can be introduced at a reasonable cost to all those who

will be impacted, but at the same time that this will ensure they have access to safe, clean drinking water. The consultations will begin this November and December.

## LONG-TERM CARE

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the associate minister of health. Your government funds residents in nursing homes far below most other provinces in this country and below states such as Maine, South Dakota, Michigan and Mississippi. In fact, our parents and grandparents who are being cared for in nursing homes get less direct nursing and therapy than anywhere else in this country. These members of our families are allowed \$4.49 a day for food by this government. The children, grandchildren, friends and neighbours of these frail, elderly and sick residents have lobbied your government to provide an additional \$25 per day for each resident of an Ontario nursing home. You responded with \$2.60 effective October 1 and \$2.60 effective January 1, 2002. Given this, can you tell Ontario's families how the \$2.2 billion corporate tax cut will benefit our frail and elderly neighbours who are in your care?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I refer this to the Minister of Health.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I want to assure this House that we have increased funding for long-term-care facilities, both capital and operating. Indeed, we're up to \$1.6 billion for 2001-02. The honourable member neglected to mention that we are one of the only jurisdictions that is re-investing the medical equipment fund for our long-term-care facilities, which we wrung out of the federal government, with great reluctance, I might add.

*Interjections.*

**Hon Mr Clement:** We had to shame them into it. You're absolutely right. Shame on them. They should have done it automatically, and no help from you guys across the aisle there, I can tell you that much. You sit there and you bray and bray and bray and we have to do the hard work to make sure the federal government lives up to its commitments. That's our job, we know that, but you should do your job rather than kissing up to your federal cousins and doing nothing for the people of Ontario.

**Mr Duncan:** The president of the Ontario non-profit nursing homes association said at this Legislature in February that, because of your funding decisions, the system will continue to be underfunded and plagued with problems. Your government has provided an average of less than 1% per year. Given the current projected rise in demand for these services, their operating problems will not be addressed.

Minister, I was astounded to learn today that your government pays an average of \$136 a day to house criminals in our jails, yet you only have \$62 a day for the

most frail, elderly and sick members of our families who are in the province's nursing homes. The fact is, Ontario is last in Canada and most of the western world in how it treats our family members in nursing homes; and it became that way under your government. Your callow and shallow answer to my previous question indicates and confirms your government's lack of care for these people. How can you defend a \$2.2-billion cut in corporate taxes when thousands of our fellow citizens are in nursing homes that, by your definition—by any capable definition—says they're underfunded and deserving of a lot more?

**Hon Mr Clement:** I've heard a lot of things in this House; now I have heard it all. Here is a party that, when they were in government, promised the world to the long-term-care sector. They were going to increase funding to provide 4,000 new chronic and acute care hospital beds, and they were in office for three years when they made that promise. What did they accomplish? Nada. Zilch, bubkes. That's what they accomplished. In the 1995 campaign, they promised to set up a committee to look into it.

This government acted. We are proud that we are introducing and are building the most effective, the best capital program in the history of Ontario when it comes to nursing homes and long term care. That is our commitment. It's on the ground. It's being built for our seniors. We've made that commitment. We are sick of empty Liberal promises. We are acting for the people of Ontario.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Doug Galt (Northumberland):** My question is for the Minister of Citizenship. Minister, Monday was indeed a landmark day in Ontario's legislative history with your introduction of the Ontarians with Disabilities Act, 2001. Soon after you tabled the bill, Liberal Leader of the Opposition Dalton McGuinty rose to his feet to congratulate you and the government. I also extend my congratulations along with my peers: a great job on a very difficult task.

While Mr McGuinty admitted he hadn't had time to review the legislation, the opposition leader said he would be looking to ensure that it reflected the 11 principles unanimously supported by the members of this Legislature. Minister, I'm concerned. Does the legislation reflect those 11 principles voted upon in this House, and does it indeed have any substance?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** First of all, I want to thank all members of the House who participated in the debate that developed the 11 principles, and I want to reassure the House that the 11 principles were followed very carefully in the drafting of this legislation. For the first time in Ontario's history, it creates a full-time agency of the government of Ontario to coordinate and implement this new legislation. It gives full force and

effect, something never before done in Canada, to the disabilities community so they have a voice and a say as we develop the regulations on an access council for Ontario. It includes all sectors of our economy, something that was very important. It covers goods and services and purchasing habits of all levels of government. It covers public education, an important component as the public understands the needs of the disabled. Mandatory provisions will be prescribed in regulations as set out in the 11 principles. This is leading-edge legislation in this country, something this government is very proud of.

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**Mr Galt:** Despite some criticisms of the legislation introduced on Monday, it is my understanding that it has the full support and backing of many persons with disabilities and a significant number of major organizations that work on behalf of persons with disabilities.

On Monday, after your statement, I had the opportunity to meet with various members of the disabled community. I can assure you that not only were they supportive, they were also very complimentary of this legislation. Minister, what was the reaction within the disabled community to the tabling of this legislation?

**Hon Mr Jackson:** It was very evident on Monday, with the presence of about 30 different organizations representing disability stakeholders in our province. Duncan Read, the past president of the Ontario March of Dimes, indicated that it was a historic moment for the disabled community and should allow them to eventually participate fully as citizens in our society. Dean LaBute, who's a member of the ODAC committee from Windsor, said, "This legislation offers an unprecedented level of commitment that will effect change and move us toward a barrier-free society." Bill Adair from the Canadian Paraplegic Association said, "Basically it's a real win."

I think members of the Canadian Paraplegic Association in Ontario are excited, as is the Ontarians with Disabilities Committee. We're all excited. This is a real milestone for the disabled citizens of Ontario.

**The Speaker (Hon Gary Carr):** New question. The member for Sault Ste Marie.

**Mr Tony Martin (Sault Ste Marie):** Minister, let me give you another perspective. Our review of this bill indicates that your government has once again broken its promise to the 1.6 million people in this province living with disabilities. You've let the private sector totally off the hook. The little you've asked of the municipalities comes with no resources, no money and no ability to enforce. My question to you today, on behalf of those 1.6 million individuals in Ontario living with disabilities, is, what really has changed? How is the life of the average disabled Ontarian going to improve under this act?

**Hon Mr Jackson:** Very clearly, there are huge gains for the disabled community in this legislation. For the first time in Ontario's history we are going to mandate compliance with accessibility standards. Standards, I might point out to all members of this House, do not exist in this province or in this country. The first thing that has

to happen is those standards have to be created. They will be created by the disabilities community of this province because this government's made an unprecedented commitment to them that they will help us make those regulations.

This government is very proud of its commitment. When we entered office, we were spending less than \$5 billion on the disabled in this province. Today, we're spending \$6 billion, a \$1-billion increase from this government. That's a tangible commitment to persons with disabilities in this province.

Finally, I want to share with the member opposite that the private sector is specifically named in this legislation, and the regulations we will create together will cover each and every sector of this province. That is a promise made by the Mike Harris government, and we'll keep that promise.

**Mr Martin:** Minister, I sure hope you're right, because 1.6 million disabled Ontarians have been waiting for six years for you to deliver on this promise. The only hope I can see for this bill is that you agree with us today to extensive and fully accessible public hearings across this province. You can't buy groceries at Queen's Park and you don't go out for dinner at the Ministry of Transportation offices. We need to hear from all of the people. They've waited for over six years. A few token cities won't cut it, Minister. Will you commit right here and now to widespread and travelling hearings and to listen to the people of this province where this bill is concerned?

**Hon Mr Jackson:** I'm very surprised to hear from the member opposite and the approach he's taking. I read in the newspaper the other day that your leader, Howard Hampton, all of a sudden now is prepared to commit, as he suggests, \$1 billion on this agenda.

You ask what's happened. I'm asking you, for the last five years of the NDP government, what did you do to help persons with disabilities in this province? Absolutely nothing, and now, all of a sudden—this government is going to commit millions of dollars toward this agenda.

*Interjection.*

**The Speaker:** Order. Member for Sault Ste Marie, come to order please. You have asked the question. Now is the time for the answer. Sorry, Minister.

**Hon Mr Jackson:** This government has implemented leading-edge legislation for disabled persons on this continent that we're proud of. We are committing real dollars to its improvement. I want to ask you to look into your soul as to what you did for five years and why you didn't even have five cents for Gary Malkowski and his disability bill. He was a member of your own caucus. Your leader was the Attorney—

**The Speaker:** Order. The minister's time is up.

#### ACADEMIC TESTING

**Mr Gerard Kennedy (Parkdale-High Park):** My question is for the Minister of Education. I want to ask

you about the results of your tests that came in just recently, "your tests" meaning the total results for the entire province showing that grade 3 and grade 6 students have been left stalled in the last couple of years under your leadership. Under your leadership, Minister, the increase in test results has been cut in half from the year before. Under your leadership, Minister, the test results in this province are a third to half of those found in other jurisdictions using standardized tests.

I want to know, on behalf of elementary students and their parents, will you take responsibility for your lack of success? Will you admit that your program is failing? Will you start to take on some of the things that come from Dalton McGuinty's excellence-for-all program, like smaller class sizes? Will you finally do the right thing for students in this province?

**Hon Janet Ecker (Minister of Education, Government House Leader):** The member opposite loves to stand up and talk about how this government is supposed to criticize the education sector. They love to say that. But when the education sector starts to see tangible improvements, when teachers, parents and students start to have tangible improvements, what does the Liberal Party do? They stand up and say, "The sky is falling."

This is the party that didn't want a standardized curriculum that's trying to tell us to water it down; that didn't support standardized testing; that somehow thinks we're going to solve the problems of those schools that need the extra help by waving a magic wand, picking 20 lighthouse schools, and miraculously all that light will just flow out to all those schools that need extra support and cause their results to improve magically. Well, that's not how it works.

It takes money, which we've invested. It takes support strategies, which we have in place. It takes higher standards, which we are putting in place. It takes helping those students meet those standards. These are all things this government is doing for our kids.

**Mr Kennedy:** Minister, I think I would be careful if I were you about mocking other possible solutions. You will probably end up taking them on, as you have many of the other things we've done.

Under your watch, under your leadership, you gave \$918 less per student in this province. Teachers and parents are trying to have their kids learn the new curriculum with fewer resources, less encouragement. You've created a war in our schools by attacking teachers every chance you get. But there is a way to stand off from that, and I think parents and students are particularly looking for a signal from you.

I wonder if you would then go to any elementary school in this province with me, visit teachers, parents and students and find out what they say is the reason that our students cannot actually get the results they need. Minister, I wonder if you'll take up the MPP back-to-school program this year and if you'll encourage every single member of your caucus to do the same thing next week during constituency week.

**Hon Mrs Ecker:** I don't need lectures from the honourable member about visiting schools in this province. I do it not as a special political campaign that he likes to announce on a regular basis; I do it because as Minister of Education it's part of my job and I will continue to do that because it is part of my job.

I know the Liberal Party thinks that if all they do is throw money at schools, miraculously the results are going to go up. I know they believe that. But we know that it takes a lot of hard work by teachers, it takes good strategies and it takes high standards.

Let's look at these results that the Liberal Party is criticizing our schools for. Mathematics: 43% to 61%. Even in the new math that is an improvement. Writing: 42% to 51%; reading: 48% to 55%. Tangible improvements step by step, setting higher standards for our kids, helping those kids meet those standards, that's what education reform is all about. This side of the House understands that. The Liberal Party is still living in la-la land.

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## NURSES

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** My question is for the Minister of Training, Colleges and Universities. In March 1999, the Minister of Health and Long-Term Care announced that a four-year bachelor degree in nursing would be mandatory for new nursing graduates starting November 1, 2005. Prior to this requirement, nurses required a degree or a diploma from a recognized college or university in order to register as a nurse in the province of Ontario.

Here is what Dr John Tibbits, who is the President of Conestoga College, had to say: "At present, 80% of the nursing graduates in Ontario are produced by the colleges of applied arts and technology. These programs are monitored by program advisory committees.... These nursing programs are market-driven, with a heavy emphasis on clinical practice."

Minister, can you tell my constituents in Lambton-Kent-Middlesex why you are proceeding with this initiative, especially when there is already a lack of nurses in the province of Ontario?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** The reason we have to move forward with the initiative of a bachelor of science in nursing for registered nurses is that this is the requirement of the regulatory body. If one doesn't have this requirement, then they cannot be a registered nurse.

I should also add for the member for Lambton-Kent-Middlesex, as he represents his riding today, that we also have college certification for registered practical nurses. There is a mix across the system of registered nurses and registered practical nurses.

Our promise, in our collaboration working with the nurses of Ontario, is that we would reach a projected graduating class enrolment of 2,800 nurses by the year

2003-04. We are well on our way, with the entrance into our new collaborative programs, to reach this requirement by 2003-04. It's been a good success.

**Mr Beaubien:** In order to make sure that we have the proper complement of nurses in the province of Ontario, I would not be opposed to making regulatory changes.

Recently I had the opportunity to talk to a hospital administrator in my riding. He tells me that when they are recruiting nurses for work in the general nursing units, the hospital looks for a nurse that is registered in the province of Ontario and can meet the job requirements. They do not hire nurses based on their educational background.

Minister, why are you not listening to what some of the hospital administrators, especially in rural Ontario, are telling us?

**Hon Mrs Cunningham:** I can tell my colleague that institutions are very much interested in hiring the best-qualified nurses that they can get. In Ontario, we take pride in this.

Talking to my own colleague and everyone in this House, this September, as I looked at the results that we just received, I can tell you right now that across 14 collaborative nursing programs and also one in his riding of Windsor-Lambton-St Clair, we have increased far beyond our expectations, a 25% increase.

The member for Windsor sits there with a smirk on his face, and I will say that the University of Windsor and I will be meeting tomorrow. Some 1,851 students have registered in those collaborative programs and the number is up to 1,917.

All of us together are worried about having enough nurses—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up. New question.

*Interjections.*

**The Speaker:** Order. We're on to the next question, please.

## SEPTIC WASTE DISPOSAL

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Agriculture. The minister will know that the safe and secure disposal of septic waste in rural Ontario is becoming an ever more controversial and an increasingly costly business. In the upper Ottawa Valley in my constituency, approximately 40,000 homeowners, property owners, depend on private haulers as their method of disposing of septic waste. Today the cost is approximately \$150 to \$160 per trip. The projections are that in the next very few months that cost will go up over \$600 per trip. What specific measures is the Ontario Ministry of Agriculture, Food and Rural Affairs prepared to take to assist property owners and rural municipalities with this very serious, pressing and costly issue?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member for the question. The member can recall the extensive consultation we had

all across Ontario when we developed the nutrient management bill, Bill 81. Through those consultations, one of the things we heard was the concern with nutrients and application procedures. As a result of that consultation, the banning of septage over the next five years is in the legislation, if this bill is passed.

The other component of this, as I'm sure the member will appreciate, is that in the extensive consultation we had in developing Bill 81, I've already committed that that extensive consultation will also happen with our stakeholders, and those are municipalities and other businesses, in terms of septage in this particular case, on how we'll be able to deal with that.

Certainly there will be some costs associated with it, but I would say to the member, please don't discount it. When new regulations come in, and we are concerned as a society in terms of our environmental concerns, new technologies emerge from that. So part of this legislation, as well, embraces the fact that if there are new technologies, they're going to come forward. In my ministry that's one of the things we embrace and try to pursue.

**Mr Conway:** I'm well aware that across rural Ontario there are active discussions going on at the municipal level and in the private business community. Let's use Renfrew county as an example, the largest county in the province, over 3,000 square miles. We've got rural municipalities, many of them with large cottage populations, where the density factor is going to make this a very real economic challenge. It's quite clear, on the basis of what municipalities and private operators are telling me now, that government is going to have to be involved, particularly in those areas of rural Ontario where we've got populations sprinkled over large areas. It won't be just Renfrew county, but it'll be Haliburton and it'll be a variety of other areas the minister knows well.

Is it the intention of the Ontario government to provide financial assistance in the not-too-distant future to rural municipalities, rural businesses and others, which are telling me and undoubtedly are telling members of the government caucus that without this kind of assistance they will not be able to meet the new standard and the new tests being imposed by, among other provincial government regulations, the about-to-be-passed Bill 81?

**Hon Mr Coburn:** As I have indicated, as we go through some of these challenges we face as a society, we want to be able to work with our stakeholders to determine what some of the solutions are. Yes, there are some challenges. There are financial challenges and challenges to our environment, and these are some of the things we'll have to come to grips with. That is one of the reasons we have in the enabling legislation that over the five-year period we'll be phasing out septage.

One of the things I think is important is that in the breadth and width of this great province we have, we're not going to have those facilities on every doorstep. That's for certain. That, of course, will bring challenges as well. Some municipalities are addressing that, in

anticipation of the environmental concerns they have in their own jurisdictions, to upgrade their sewage treatment plants. That is part of the solution. We'll work with our stakeholders over the next five years. I'm sure that the solutions will unfold as they have in the past and that we'll be able to work with our stakeholders. Will that involve some financial commitment? It may and it may not. We'll have to see how new technology helps us in that respect.

1530

## ROYAL WINTER FAIR

**Mr John O'Toole (Durham):** My question is also to the Minister of Agriculture, Food and Rural Affairs. As you know, the Royal Agricultural Winter Fair is going on in Toronto. I'd like to take this time to say that Don Rickard, who is one of my constituents and a very well respected Durham family farm businessman, is the president of the fair this year. Everyone knows how important the fair is to agriculture. Some have called it the Olympics of agriculture.

Minister, could you expand on the role your ministry will play at this year's Royal Winter Fair?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member from Durham for the question.

Certainly the Royal Winter Fair is the pinnacle, the Grey Cup or the Stanley Cup, of fairs in this great country. It is certainly a badge of honour when over the course of the summer you are a competitor, whether it's with livestock or whatever, at various fairs across Ontario, indeed across the country, and that culminates in displaying your championship livestock at the Royal Winter Fair.

One of the things that's important about the Royal Winter Fair is that it gives an opportunity for those who have not been raised in a rural or a farm environment to go down there and understand more about agriculture, more about livestock, more about some of the things we're doing in rural Ontario to work with the environment. Our ministry has a very wide-ranging display down there, educational components that talk about Bill 81, that talk about life sciences, that talk about food safety and in terms of crops and soil, the advances we have made in technology as well. It's an educational experience.

## PETITIONS

### CRUELTY TO ANIMALS

**Mr James J. Bradley (St Catharines):** I have a petition that reads as follows:

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario pass legislation" proposed by MPP Mike Colle "that outlaws puppy mills and other cruel animal breeding activities and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I affix my signature. I am in complete agreement with this petition supporting Mike Colle's private member's bill.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have more petitions in support of Bill 77, my adoption disclosure reform bill. It reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I am in complete agreement with this, and I will affix my signature.

#### POST-SECONDARY EDUCATION

**Mr John Hastings (Etobicoke North):** I have a petition regarding Saving for Our Children's Future Act, 2001, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas post-secondary education is very important in the development of young adults, to the betterment of society and the economic future of our province; and

"Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

"Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

"Whereas the tax credit proposed in Bill 4, Saving for our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

"Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP, thereby freeing millions of dollars for other OSAP students;

"Therefore, we, the undersigned, hereby respectfully petition the Legislature of Ontario to act quickly to pass Bill 4, Saving for our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of children."

I affix my signature with pride to this petition.

#### PROTECTION OF MINORS

**Mr Dave Levac (Brant):** "To the Legislative Assembly of Ontario:

"Whereas there is currently no law regulating the sale of CDs and tapes in Ontario,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That a law be put in place requiring merchants to abide by the age guidelines on CDs and tapes when selling to minors (similar to those that restrict the admittance to movies deemed inappropriate for children under a stated age)."

I sign my name to this petition.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** It's my pleasure to present a petition on behalf of my constituents in the riding of Durham, specifically Philip and Robert Brown, among thousands of others.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into Durham region and the proposed routing, designated as the technically preferred

route, will dissect the property of Kedron Dells Golf Course Ltd in Oshawa"—actually, it's in my riding.

"Whereas such routing will destroy completely five holes and severely impact two additional holes, effectively destroying the golf course as a viable and vibrant public golf course,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of" my constituents and "residents of Durham region and the GTA."

I'm pleased to endorse this on behalf of this small family business.

### COMMUNITY CARE ACCESS CENTRES CENTRES D'ACCÈS AUX SOINS COMMUNAUTAIRES

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier) :** "Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution;

« Attendu que les Centres d'accès aux soins communautaires doivent maintenant collectivement faire face à un manque à gagner de 175 \$ millions en raison d'un gel de leur financement par le gouvernement provincial ;

"Whereas due to this funding shortfall, CCACs have cut back on home care services affecting many sick and elderly Ontarians;

« Attendu que ces réductions dans les services ont principalement été effectuées dans les services d'auxiliaires familiales, ce qui oblige les Ontariens et Ontariennes à recourir à des établissements de soins de longue durée plus coûteux ou à retourner à l'hôpital ;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the health care services they need."

J'appose ma signature à cette pétition.

1540

### AUDIOLOGY SERVICES

**The Acting Speaker (Mr Michael A. Brown):** The member for Ancaster-Dundas-Flamborough-Aldershot.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Thank you for getting the name correct, Speaker. That's very good.

I have 1,000 signatures here, and have been asked by the following communities: Fenelon Falls, Omemee, Sebright, Burnt River, Sturgeon Falls, Bobcaygeon, Kinmount, Lindsay, Oshawa, Oakwood, Janetville, Enterprise, Mount Forest and Fergus—they've all asked me, on this side of the House, to present this petition.

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

### CRUELTY TO ANIMALS

**The Acting Speaker (Mr Michael A. Brown):** Petitions?

**Ms Marilyn Mushinski (Scarborough Centre):** Excuse me.

**The Acting Speaker:** The member for Scarborough Centre.

**Ms Mushinski:** I know I'm short in stature, Mr Speaker, but I really am standing up.

I have a petition addressed to the Legislative Assembly of Ontario, which reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I'm pleased to affix my signature to this petition.

### COMMUNITY CARE ACCESS CENTRES

**Mr David Caplan (Don Valley East):** I have a petition entitled, "Community Care Access Centres—Thaw the Freeze." It is to the Legislative Assembly of Ontario.

"Whereas the Mike Harris government promised to institute so-called 'patient-based budgeting' for health care services in the 1995 Common Sense Revolution;

"Whereas community care access centres are reporting a funding shortfall of \$175 million due to a funding rollback by the Mike Harris government;

"Whereas Ontarians depend upon community care access centres to assist in services affecting many sick and elderly Ontarians;

"Whereas cutbacks to home care are forcing patients to stay in hospital longer or to be placed in long-term-care facilities, both of which are much more costly than providing home care;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to lift the home care funding freeze in order to allow community care access centres to provide services based on patient need."

I have affixed my signature to this petition.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario," such as London, Strathroy, St Thomas, Woodstock and Stratford, "are not put at risk."

I'm in full agreement and have affixed my signature hereto.

#### ADOPTION DISCLOSURE

**Mr Rosario Marchese (Trinity-Spadina):** I have a petition, which reads:

"Whereas in Ontario, adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the

Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adults adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I support this petition.

#### EDUCATION FUNDING

**Mr David Caplan (Don Valley East):** I have a petition. Actually it's an older one but it's certainly germane. It reads:

"To the Legislative Assembly of Ontario:

"Whereas we believe that all education resources should be directed to our public schools, not private schools;

"Whereas Mike Harris has been attacking public education for six years, chopping \$1.8 billion from the classroom and now wants to pay parents to leave public education for private schools;

"Whereas we believe that a voucher plan for private schools is wrong, unfair and steals money from public education;

"Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

"We, the undersigned, petition the Legislative Assembly as follows:

"Do not turn your back on Ontario's working families. Fight Mike Harris's voucher system for private schools; fight for smaller class sizes;" and last and most important, "fight for public education."

I'm proud to put my name on this petition.

#### ORDERS OF THE DAY

#### MUNICIPAL ACT, 2001

#### LOI DE 2001 SUR LES MUNICIPALITÉS

Resuming the debate adjourned on October 31, 2001, on the motion for second reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other

Acts in relation to municipalities / *Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.*

**The Acting Speaker (Mr Michael A. Brown):** Pursuant to the order of the House dated November 6, 2001, I'm now required to put the question.

Mr Hodgson has moved second reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bill.

*The division bells rang from 1548 to 1553.*

**The Acting Speaker:** Those in favour will please stand one at a time until recognized by the Clerk.

#### Ayes

Amott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Jackson, Cameron	Snobelen, John
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Kells, Morley	Sterling, Norman W.
Clement, Tony	Klees, Frank	Stewart, R. Gary
Coburn, Brian	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Maves, Bart	Tilson, David
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Miller, Norm	Turnbull, David
Flaherty, Jim	Molinari, Tina R.	Wettauer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David
Hardeman, Ernie		

**The Acting Speaker:** All those opposed will please rise one at a time until recognized by the Clerk.

#### Nays

Agostino, Dominic	Dombrowsky, Leona	McMeekin, Ted
Bartolucci, Rick	Duncan, Dwight	Parsons, Emie
Bountrogianni, Marie	Hampton, Howard	Patten, Richard
Boyer, Claudette	Kennedy, Gerard	Peters, Steve
Bradley, James J.	Kormos, Peter	Phillips, Gerry
Caplan, David	Kwinter, Monte	Prue, Michael
Churley, Marilyn	Lalonde, Jean-Marc	Pupatello, Sandra
Colle, Mike	Levac, David	Ramsay, David
Conway, Sean G.	Marchese, Rosario	Ruprecht, Tony
Cordiano, Joseph	Martin, Tony	Smitherman, George
Di Cocco, Caroline	McLeod, Lyn	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 52; the nays are 32.

**The Acting Speaker:** I declare the motion carried.

Pursuant to the same order of the House, the bill is referred to the standing committee on general government.

## REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001

## LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES

Resuming the debate adjourned on November 1, 2001, on the motion for third reading of Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / *Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.*

**The Acting Speaker (Mr Michael A. Brown):** The member for Niagara Centre has the floor. I think we'll wait just a few seconds and allow the traffic to clear.

Member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Thank you kindly, Speaker. You might recall that last Thursday I began what we call the leadoff: my response, on behalf of the New Democrats, to the government's proposal of this bill. I have an hour. I can't believe I've used 40 minutes of it; I only have 20 minutes left today.

I did get distracted from time to time during my comments to the House last Thursday because I was reflecting on where our respective caucuses stood with respect to this bill. Clearly the government is going to vote for Bill 30. I understand that. It's the government's bill. It's part of their so-called law-and-order package where they're going to get tough on crime, going to get tough on terrorists, going to get tough on kids with green hair and earrings in their nose who try to run a squeegee over your windshield, among other things.

I indicated to you last Thursday and I indicate to you again, indicate to you very clearly and unequivocally, that we in the New Democratic Party are opposed to Bill 30. We will be voting against it. We see it not just as seriously flawed legislation, but bad legislation. I want to explain to you why New Democrats are not going to get sucked into supporting this bill by the government.

Look, I've listened carefully to the government's arguments and the government's best efforts to justify Bill 30. I've listened carefully. I've reflected on those arguments put forward very ably by the parliamentary assistant, from time to time assisted by the incredibly capable staff at the Ministry of the Attorney General. He knows exactly who I'm speaking of, and I'm confident he'll convey to them my comments about them.

But for the life of me, I cannot understand why anybody—any thinking person, any careful person, any cautious person—would support this bill that puts innocent people at risk, puts their assets, their property, their home, their bank account, their car, their furniture, their clothing, spare change underneath the La-Z-Boy in the living room, puts that at risk. Nobody in this Legislature rejects the proposition that organized crime should be fought. I'm going to put to you, quite frankly, though, that you fight organized crime by having well-resourced police departments, by having well-resourced

prosecutorial offices, like crown attorneys' offices, and by having a criminal justice system that's adequately staffed from beginning to end, including appropriate numbers of judges in courtrooms to hear trials and by the participation of a skilled defence bar, skilled defence lawyers, who are an integral part of a well-running criminal justice system. That's how you fight organized crime.

1600

Indeed, in terms of seizing the proceeds of crime, in terms of seizing the profits derived or obtained as a result of crime, the Criminal Code of Canada has very clear provisions for doing precisely that. The Criminal Code of Canada has clear provisions that have been utilized. During the course of committee hearings on this bill's predecessor, we heard from, among others, the chief of police of Niagara Regional Police Service, who indicated that police service has had experience using the Criminal Code provisions.

The important part about the Criminal Code provisions is that they require that somebody be guilty of a crime, which means having been proven guilty beyond a reasonable doubt, before the state can go in and seize assets.

I listened in dismay to the speaker for the official opposition. They are, it appears, supporting this legislation. It appears the Liberal caucus is supporting this government bill. I heard the first speaker, the leadoff speaker for the official opposition, the Liberal Party, say—I'm paraphrasing; no two ways about it—"Oh, let's not be too worried about the fact that Bill 30, this Ontario government bill, doesn't require the same high standard of proof beyond a reasonable doubt." It merely requires that a person be perceived to have committed a crime on the basis of the balance of probabilities, the civil test, the mere balance of probabilities.

The Liberal Party spokesperson, in the course of the debate on third reading, said, "Oh, well, we can live with the lower standard, because after all it doesn't involve people going to jail; it just involves their assets"—their home, what modest savings they might have acquired over the course of a lifetime of working, their car, the bicycle in the garage, all the way down, as I say, to the loose change you're inclined to leave behind underneath the La-Z-Boy.

I'm sorry. In fact, I'm not sorry at all. I make no apologies for saying that when the state is going to intrude into people's homes and put people's belongings, people's personal property at risk of being seized, then the standard the state should have to meet to do that should be the same rigorous standard we use to determine guilt of criminal offences, and that is proof beyond a reasonable doubt, which is the standard required by the Criminal Code provisions.

Some police participants in the hearings said, "Oh, yes, the police would love to see the government bill." I understand that. It would make it much easier for them to seize assets, but it would similarly be much easier for the police if, oh, there weren't a requirement that they

provide an accused person who is detained with access to counsel. That would make the police job much easier. The rate at which they'd receive confessions would be much higher if police weren't compelled, as they are and as they do, to advise people of their right to retain and instruct counsel and to have a lawyer present.

Police work would be so much easier if warrantless searches were the norm and they could enter a home at any time, anywhere, anyplace, without a search warrant and conduct a search looking for evidence of criminal activity. The job of the police would be much easier. I understand that and I understand the interest, as expressed by police officers, to that end. But we have a justice system that is as passionate about protecting the innocent as it is about prosecuting the guilty. That justice system is something that should be of high value to all of us.

What this government really should be doing, if it wants to see organized crime stripped of the profits of organized crime, is giving crown attorneys' offices and police forces, like the Niagara Regional Police Service, adequate resources to comply with the more rigorous standards contained in the Criminal Code for seizure of property that flows from the commission of crime or property that's used in the commission of a crime.

One of the things we learned during the hearings was that Ontario is the province least likely to use the Criminal Code provisions on seizure of proceeds of crime. In other words, this government hasn't been encouraging or facilitating the utilization of the existing Criminal Code statutes that permit police and prosecutors to seize proceeds of crime, yet they want to introduce a bill with a standard so low that innocent people and their property and their assets are put at risk.

Let's understand that for this government's Bill 30 to take effect, not only does a person not have to be convicted, like they do under the Criminal Code, but it doesn't even matter if they were acquitted, found not guilty. Do you understand what's happening here? This government says, "We don't care whether a court found you not guilty. We still don't like you and we're going to mobilize all of the incredible resources that we can muster to haul you back into a court using this lower standard, mere balance of probabilities, to strip you of your assets, to wipe you out, wipe you clean, to leave you destitute and bankrupt."

This government's Bill 30 doesn't require a person to be convicted, doesn't even care if the person has been found not guilty, doesn't even require a person to be charged. This government is setting itself up as judge and jury and is, in the course of doing that—and, I put to you, others who support this bill join them—circumventing the high standards that have been developed in our criminal justice system, in our criminal law, high standards designed to protect the innocent. This government is tossing them away. It's clear this government doesn't care. It doesn't care about protecting the innocent, because Bill 30 is all about exposing the innocent to incredible risk.

I don't need to raise incidents of wrongful conviction. Even in the criminal justice system, with its high standard of proof beyond a reasonable doubt, we regrettably and tragically have been confronted—now it seems like it's been almost annually—with serious cases of wrongful conviction, even with that incredibly high standard. If people can be convicted of murder, as we've discovered they have been, receiving life sentences, with the high Criminal Code standard of proof beyond a reasonable doubt, just imagine how devastating Bill 30, with its mere balance of probabilities, will be.

The parliamentary assistant might stand up and say, "Oh, don't worry. Trust us. Trust the state." I don't care whether it's a Conservative government, I don't care whether it's a Liberal government, I don't care if it's an NDP government, I don't care if it's a Green government—take your choice—the state can become incredibly vindictive at times, incredibly careless in how it utilizes the power available to it, and it has huge resources to access. What does the little person do who is confronted by an army of lawyers from the crown law office over on Bay Street, the Attorney General's office, an army of lawyers with—

1610

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: This is an excellent speech and I'm just wondering if we have a quorum in the chamber to listen to it.

**The Acting Speaker:** Is a quorum present?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Thank you. The member for Niagara Centre.

**Mr Kormos:** We in the New Democratic Party take our responsibility to protect the public from dangerous legislation, bad legislation, very seriously. That's the role, that's the function of opposition.

One of the things that guides point out to visitors to the chamber here at Queen's Park is the two—they're not quite sculptures; they're the fixtures on the wall. The one there for the government to observe is an owl. That is designed to prevail upon the government to use wisdom. The one that faces the opposition benches is an eagle, and that encourages opposition members to be watchful and vigilant and to be brave, the way an eagle is when it's sitting up in its lair, in its nest, with eagle eyes scrutinizing the landscape around it. So that eagle that faces opposition members reminds opposition members—that's why it's there, just like the owl.

It's interesting. A whole lot of government members are seeing the owl for the first time, the owl that's there to remind them to use wisdom. I have no doubt they are seeing it for the first time.

**Interjection:** We're working on it.

**Mr Kormos:** They're working on their wisdom, as one prominent Tory member just commented.

We make no apologies for being vigilant. We know there's incredible pressure on opposition parties to support this kind of legislation because, after all, if you don't support a Tory law-and-order bill, you must be with the bad guys; you must be for the criminals. If you don't support this incredibly dangerous and flawed Bill 30 that's entitled remedies for organized crime, somehow you must be for organized crime. That's a silly argument. It's not a valid one and it should carry no weight. Quite frankly, it's a waste of the breath used to utter it.

I have great confidence in the opposition parties' ability to work together to defeat Bill 30 and similar bad pieces of legislation. I was encouraged by what the member for Hamilton East said about Bill 30. The member for Hamilton East said, "This bill today"—referring to Bill 30—"is nothing more than simply another exercise in Tory public relations stunts." I was encouraged when the member for St Paul's, in speaking about Bill 30, said, "Our concern with this bill is that it is neither effective, nor will it stand the test of time for the reasons I want to speak to." I was encouraged by that because I thought that meant there would be a solid opposition to the legislation and that opposition parties would be vigilant, as the eagle is there to remind them to be.

I now find the official opposition supporting the government's proposition in Bill 30, and I think I understand why: again, being in a somewhat uncomfortable position in terms of risking having the finger pointed at you and hearing, "Well, if you're not with the Tories, then you must be with organized crime." I reject that. We in the New Democratic Party have bigger shoulders than that. We will not support this bill because it very simply, very clearly and specifically utilizes the civil standard of proof and the balance of probabilities as compared to proof beyond a reasonable doubt to effectively establish that people have committed a crime for the purpose of seizing their assets and their property.

The other observation you'll recall that Howard Hampton made during second reading on this bill—and I should indicate that Rosario Marchese, the member for Trinity-Spadina, wants to speak to this bill, the member for Beaches-East York wants to speak to this bill, the member for Toronto-Danforth certainly wants to speak to this bill, and the member for Sault Ste Marie has concerns about the bill that he wants to put on the record, as well as the member for Timmins-James Bay and my colleague Mr Christopherson from Hamilton. If I've omitted any member of my caucus, I apologize to them.

This is serious stuff. We will not collaborate with the government to accelerate passage of their bills that reflect their very partisan, ideological agenda. It's not our job to facilitate the government's doing what it's doing, especially when we disagree as profoundly as we do with what the government is doing. I see absolutely no reason why every member of my caucus, the New Democratic Party caucus, shouldn't have an opportunity to address this bill, Bill 30, and any other bill before the House, for that matter.

I find it remarkable that in Bill 30 the parliamentary assistant defends the reference to any crime in any book as being the mere proof on balance of probabilities, one that can trigger the forfeiture/seizure provisions ranging from, obviously, federal legislation, the Criminal Code, through to provincial legislation, through to municipal bylaws. Yet yesterday, during the course of some interesting committee discussion around Bill 69, he defended Bill 69's restricted list of offences, saying, "Were it full, it would be overly broad." Check the Hansard, but the parliamentary assistant isn't jumping out of his skin protesting at my suggestion that those were the words he used, so I suspect I'm pretty darned close to it.

That dangerous legislation puts innocent people at risk and doesn't create a new concept because the ability to seize the assets of organized crime, proceeds of crime and assets used in the commission of crime already exists under the Criminal Code. This is all about this government's sabre-rattling and its effort to look tough on law and order when in fact they have a pathetic record when it comes to victims, victims' rights and justice for the innocent here in Ontario.

1620

**The Acting Speaker:** Questions, comments?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):**

I'd like to comment to the critic of the New Democratic caucus. I will say he gave a very fine speech. I will say as well that he sticks to his guns; he's consistent. It's just that we disagree with him. The consistency of his position is with respect to this test: the test of beyond a reasonable doubt versus the balance of probabilities, and that's been expressed very well by my friend for the New Democratic caucus. I'm going to repeat what we've been saying in the committee and what we've been saying in second reading: the beyond-a-reasonable-doubt test is used in criminal legislation. This is not criminal legislation; this is legislation where the focus is on property, not on the individual. In criminal legislation, of course, it's on the individual. If the proceeds of unlawful activity are harboured in the hand of an accomplice, for example, they are not beyond the reach of this draft legislation.

It's not new, as I've indicated before. There are other countries around the world that have used this. Both the federal and state governments in the United States have used these tests—the balance-of-probabilities test or tests similar to it—Australia, South Africa. There already is provincial legislation, for example, where assets have been seized on the balance of probabilities: the Game and Fish Act. If you're fishing or hunting illegally in this province—

**Mr Kormos:** Balance of probabilities under the Game and Fish Act?

**Mr Tilson:** Well, I'll tell you, the gun, the fishing tackle, the boat, the car: my understanding is that those could be seized on the balance of probabilities, not on the beyond-a-reasonable-doubt test.

**Mr James J. Bradley (St Catharines):** One of my concerns about the original bill, which was referred to as Bill 155—that's a bill that expired because it was not

carried forward from the order paper from the last session—is that there was what we call the J. Edgar Hoover clause in that bill. That was a matter of some considerable concern to people who had the first look at that piece of legislation. This bill at least has been altered to remove that particular clause. I consider that to be a major amendment that was made to Bill 155, because the J. Edgar Hoover clause would have permitted the collection of personal information, including health records, without any court or other supervision. I think whenever you are getting into this field of giving more powers to the police—and indeed we have to do that from time to time—you want to have that court or some other kind of supervision to ensure that that would not be abused. One of the pieces of encouragement that I saw, going from Bill 155 to Bill 30, was the removal of that particular clause.

I think the member in his remarks has shared with members of the House and the public his concerns about the provisions of this bill and how they might be misused. When we're passing legislation, we always have to try to interpret how people might use that legislation for things other than we had anticipated when the legislation came before us. I want to thank him for bringing that to our attention.

**Mr Gerry Martiniuk (Cambridge):** I listened with interest to the comments of the member for Niagara Centre and in some respects he's right: we're dealing with organized crime and terrorism. Since September 11, that has been brought home to North America, and we've got to balance rights and freedoms against security. It's all right to talk about getting sufficient resources and that will solve the problem. The fact is, we've always had organized crime.

When my friend from Niagara was with the Bob Rae government, he was Solicitor General, if I recall. He had the opportunity to solve the problems of organized crime in Ontario and he did not. One of the problems is that the police do not have the tools. When we're talking about making it easier for the police, we're talking about the security of the citizens of the province of Ontario. Sometimes I think that people speak against this bill trying to make it easier for the defence lawyers. I think, quite frankly, the criminal bar has it too easy in this country. There are too many archaic safeguards that are no longer necessary.

But the point is that we should be concerned with the security of the people of Ontario and the drug trade in particular. This is what organized crime lives on. It is a dreadful trade which causes irreparable harm, not just to our young people but to their families. This bill will attempt to correct that and I believe the government is on the right path.

**Mr Michael Prue (Beaches-East York):** Very briefly, I agree with what the previous speaker said in terms of organized crime. Organized crime is, of itself, a scourge on our communities. Organized crime has existed probably since times ancient in terms of people who are willing to take advantage, people who are

willing to prey upon those who are weak or upon their weaknesses. There is no doubt that society needs to protect itself from those who would do exactly that.

The question of this legislation though—and we keep coming back to it, at least in our party—is, what legislative and legal tools do we need to fight organized crime? Do we need the tools of better police? Of course we do. Do we need the tools of better resources? Of course we do. Do we need tools that presently exist in the Criminal Code? Yes, we do. Do we need a public that is ever more vigilant and needs to be educated about all of those things that organized crime does? The answer again is yes.

Do we need legislation that runs contrary, in my view and in the view of many civil libertarians, to the rights of the individual and their property, the right to full court redress, the right to be presumed innocent until proven guilty? Those are the hallmarks of what has made Canadian society, in fact all of British heritage, from whence we get our legislation and our Criminal Code—what has made this a most remarkable country. To put that at risk is something that I think needs a great deal more thought than what has been put into this bill. I hope to have a chance perhaps later today to speak to that and I will be outlining why I think this bill has gone just a little too far.

**The Acting Speaker:** Response?

**Mr Kormos:** As to being Solicitor General—

**Mr Bradley:** I didn't know that.

**Mr Kormos:** Yes. Heck, I had a short enough cabinet career with the two cabinet positions I held. If you make it three, it will impress them even more. It will reduce it to a matter of mere days instead of even weeks or months.

**Mr Tilson:** I remember seeing your picture.

**Mr Kormos:** Yeah.

The issue here is the fact that the Criminal Code provides for forfeiture or seizure by police and prosecutors, but it holds that prosecutor to the high standard. Listen carefully to what the parliamentary assistant to the Attorney General had to say. First of all, please understand that even a provincial offences prosecution requires proof beyond a reasonable doubt. Even if you're prosecuted under the Game and Fish Act, or any piece of provincial legislation, the prosecutor has to prove you guilty beyond a reasonable doubt.

You're talking here about crime and criminals. The mantra that the Attorney General's parliamentary assistant repeats is designed to somehow protect them, as if it were some sort of amulet, from the charter challenges that are inevitably going to flow to this. The argument is going to be made very strongly that what the provincial government is doing is intruding on federal jurisdiction, constitutional jurisdiction, over the criminal law. I think they are. Mr Borovoy from the Canadian Civil Liberties Association thinks they are too. But we'll let judges down the road decide that, should this bill pass.

The parliamentary assistant thinks it's protecting itself from that constitutional challenge by saying, "This is about property." No. It's about your effort to label this

government as law and order, when the government in fact has a pathetic record when it comes to victims and the Victims' Bill of Rights, and when it comes to passing bill after bill after bill with fancy-sounding titles but legislation that will never be utilized or invoked.

1630

**The Acting Speaker:** Further debate?

**Mr Doug Galt (Northumberland):** I was listening a few minutes ago to the member from Niagara Centre and some of his comments. For me to say I'm surprised at the negative response toward this bill—it's certainly not surprising, but it is disappointing. I say it's not surprising, because he has taken the position, as have those in his party, of objecting to anything and everything the government does. They being in opposition, I can understand that. But I would think that on this particular bill, the prevention of profit from crime, he would have been able to see the light and would have understood and might have been supportive of it.

This bill talks about protection by the province. It's the province that has to go in and obtain support and get those dollars for the victim.

It was worked on. It wasn't just something the government dreamed up. We had the Information and Privacy Commissioner, Dr Ann Cavoukian. We've arrived at a proper balance here. It's going on in so many other countries.

As I say, I'm disappointed. Fair criticism that they might have used on our government is, why didn't this happen sooner? I think that could have been a fair criticism of a bill such as this. It is in other countries. Granted, it's not in other provinces, but it certainly is in many other countries. If they wanted to criticize the government, I would have thought that might have been a fair direction.

But here we are. Bill 30 is before us, the Remedies for Organized Crime and Other Unlawful Activities Act. This bill, if passed, would allow the province—and I underline "the province"—to ask the courts—again we have another protection, the courts—to freeze, seize and forfeit to the crown the proceeds of unlawful activity as well as assets that could be used as instruments or tools in the commission of future unlawful activity.

When you mention those words, it sort of comes to my mind: "Why not earlier?" as I mentioned. It just makes so much sense that this needs to be in place.

The second point in this bill is that it would allow the province to take to court two or more people who conspire to engage in activities that would harm the public.

Third, and most importantly, it would enable victims of unlawful activities that lead to forfeitures to claim compensation against those forfeited proceeds.

This indeed is in place in many jurisdictions, and we certainly need it here, especially to recognize those who suffer from the criminal activity of others who really couldn't care less. I think there's an awful lot of protection in this for those who commit crimes. Some would argue that maybe we don't need that much in there, but it is in there, and that's why I have difficulty and am

disappointed in the comments made by the previous speaker.

This proposed legislation would focus on property—the proceeds and the assets—not the individual, and I think that's important. The civil actions under this legislation would be entirely different from criminal prosecution. In fact, Ontario will continue to vigorously investigate and prosecute organized crime figures in our criminal courts.

In the budget, our government committed some \$6 million annually for police and dedicated crown attorneys to enhance the comprehensive, multi-pronged approach to combat organized crime. When charges are laid, dedicated crown attorneys will prosecute those cases. With the civil legislation under debate today, our government recognizes that Ontario would be breaking new ground in Canada if this were passed.

Similar measures have been introduced in a number of other countries, including our neighbours to the south—the United States—Australia, Ireland and South Africa, to name a few. In each of these countries the authorities have successfully used civil law to seize the proceeds of unlawful activities and hit the corrupt organizations behind these activities where it really hurts, right in the wallet. When it comes to money, organized crime really sits up and takes notice. Our legislation would achieve that same objective. In fact, Ontario would improve on the legislation in these other jurisdictions with its innovative proposal to compensate victims.

However, we've balanced those objectives with protection of individual rights and privacy. For example, if this legislation is passed, no action could be taken without authorization from a court. Each step, from the initial freezing and seizing of assets to the forfeiture, would require the province to successfully argue its case in court, again giving organized crime an awful lot of protection, maybe more than it really deserves.

The basic standard of proof for civil forfeitures would be the balance of probabilities, the same standard that has always been used in our civil courts. As long as there has been common law, property disputes have been adjudicated with the balance of probabilities standard. If passed, this legislation would rest on the same firm legal foundation that has always existed in the province of Ontario.

As another safeguard, the burden of proof would rest on the province, not on the defendant. There would be no reverse onus. The province would have to prove its case.

The court would also protect the interests of people who legitimately own property or a share of property that has an unlawful origin. This provision could protect people who may not have known about the origins of the property or couldn't reasonably have suspected that the property was the proceeds of an unlawful activity. They would not lose the value of their investment.

Personal information would be protected, and I think that's pretty important here. The Ministry of the Attorney General worked with the Information and Privacy Commissioner, Dr Ann Cavoukian, to develop legislation

that would strike the proper balance between the interests of the province and the protection of personal privacy. Dr Cavoukian wrote a letter to the Deputy Attorney General in which she said, "I am satisfied that these concerns have now been addressed." Here is a neutral third party, a very intelligent individual with a very responsible role, supporting our legislation.

If Bill 30 is passed, the mutual objectives would indeed be met. Investigators would have access to the information they need, and the privacy of individuals would indeed be protected. The bill would establish an independent gatekeeper or reviewing authority who would screen all the personal information. There would also be specific criteria governing disclosure of this information. If the personal information meets the criteria, the gatekeeper would pass it on to the Attorney General.

Personal health information, such as medical files, would be disclosed only through court proceedings. The province would have to prove in court that the health information was indeed necessary and relevant to the case.

As I said, civil asset forfeiture legislation has been used successfully in a number of countries. We heard about these successes from experts who spoke at the Ontario government's organized crime summit in August last year. They were frank about what works and what doesn't work.

The committee hearings during the last session of this Legislature also heard from several witnesses with expertise in this particular area. They talked about the prevalence of organized crime and the role of civil forfeiture in countering these unlawful activities.

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It's clear to our government that no one jurisdiction has a perfect solution for Ontario, because each jurisdiction has its own unique problems arising from unlawful activities, as well as its own constitution and legal environment.

That said, it's also clear that civil asset forfeiture has an important role to play. Several countries have passed civil forfeiture legislation. Civil asset forfeiture could play a similar role here in Ontario. It would help prevent the proceeds of unlawful activity being used to fund more unlawful activity and creating even more victims. In other words, it would help restrict the financial capital that's available for organized crime. It would also help prevent Ontario from becoming a safe haven for unlawful assets, particularly as other countries develop this type of legislation.

Most importantly, Bill 30 would compensate direct to victims of unlawful activity.

Ontario has jurisdiction over property rights and clearly has the constitutional power to enact civil forfeiture legislation. By passing Bill 30, Ontario would be a leader in this country in protecting the public from further victimization. We would also be leaders in disrupting and disabling corrupt organizations in Canada, and in helping victims.

This bill is consistent with our government's activity by bringing in another law-and-order bill. Our government has had a whole series of very positive actions to protect the security of the residents of Ontario. We've introduced several bills along this line through our six and half years in government. We've hired more police. We hired approximately 1,000 police between three and four years ago to service Ontario. We've promoted security in our communities and in our schools, particularly with the Safe Schools Act we brought in.

Our Premier, Mike Harris, was very prompt in responding to the difficulties in the country following the September 11 terrorist attacks in New York and in Washington. We responded by helping some of the families in our country who had victims in those incidents to get down to New York and to Washington. We've brought in all kinds of training programs for our police and our firefighters, equipping our police. We are indeed responding.

As I say, this Bill 30 responds to another area of law and order in the province and I look forward to its speedy passage. I urge all members to support this bill.

**The Acting Speaker:** Questions or comments?

**Mr Bradley:** The member has outlined the reasons for the bill and I think there are a lot of compelling reasons to find support for very much of what is contained in the bill, because I think everybody recognizes that organized crime is a problem. We would all like it to go away and it isn't going to go away easily. What police forces complain about is that they don't have the tools with which to deal with crime in any jurisdiction, and that as soon as the police force acquires new equipment or additional people or new ways of dealing with crime, we find out that those who are involved in organized crime take another step ahead.

One of the ways they're able to do that is by utilizing, as the member has appropriately pointed out, the funds that are derived from crime. The only way you can get at them with the use of this money—I would call it a misuse of this money—is to seize those assets.

The member has pointed out as well that there are safeguards in the legislation. I remember that in Bill 155, as I mentioned earlier in response to the member for Niagara Centre, we didn't have the kind of safeguards we'd like to see. There was the J. Edgar Hoover clause in there that allowed people to deal with a lot of personal and health information.

The member has pointed out that the negotiations that went on with the Information and Privacy Commissioner were such that the bill was able to be amended to avoid those offensive parts. It's not that the government put them in to be particularly mean-spirited or anything of that nature; they wanted to have the bill as comprehensive as possible, but have made the concession in this field, from Bill 155 to Bill 30, that makes the bill much more supportable than it would have been without that concession having been made. The member clarified that for the House.

**Mr Prue:** I must commend the previous speaker, who spoke of all the reasons we need to curtail organized crime. He spoke about what the government of Ontario, governments in Canada, governments of other jurisdictions around the world are doing to stop organized crime and to seize the proceeds of organized crime. I would have no difficulty with that were there to be what I consider to be a proper test of how that is seized. We have legislation currently in effect in the Criminal Code of Canada, and the people whose property is seized must first be convicted.

The reason I think many people, particularly those involved in civil liberties, find this legislation to have gone too far, and some even consider it offensive, is that under this act the offence is committed—offences under this act—even if the person is not charged, even if the person is not convicted, even if the charges are withdrawn. My reading of the act, and if I get a chance to speak to it I want to speak to that section, is that even if a person is found not guilty by reason of insanity, his stuff can still be seized; at least that's my reading of that. I would suggest that's the part that is offensive, not all the other things that are being talked about.

Of course society has to protect itself from organized crime. Of course we have to put in as many roadblocks as we can to motorcycle gangs and to ethnic and other groups that have come from other parts of the world in order to prey here in Canada, and particularly in Ontario. We need to do everything within our power, but in the end we need to do that and protect the civil liberties of those who are innocent. I think that's the failing of the act. That's what we need to address our minds to. We can all agree organized crime is bad. The question is, does this act do the right thing.

**Mr Tilson:** The member for Northumberland gave an excellent summary of what the government is trying to do with this legislation. I will say that as to this bill, we had extensive hearings on its predecessor, which has been referred to as Bill 155. We had a number of people from the United States and Ontario come and talk to us about the serious increase in organized crime. Although the bill refers to assets from unlawful activity, the focus is with respect to organized crime, but could apply to any form of unlawful activity.

To talk a little bit further about what the member for Northumberland has said, one of the representatives we had was a police officer who was the deputy commissioner of the Office of Provincial Commanders, Investigations/Organized Crime. His name was Vaughn Collins. He appeared before the justice committee on February 21 and said:

"Over the past 15 years there has been a dramatic increase in the number of established criminal organizations in Canada. Their primary goal is the acquisition of wealth and the pursuit of power. Organized crime activities affect the lives of all Canadians, socially and economically. The average citizen would probably identify the crimes of drug trafficking and illegal gaming as associated with organized crime groups. Today, organized

crime groups are involved in a wide range of criminal activities which include money laundering, prostitution, illegal immigration, alcohol, tobacco and weapons smuggling, securities fraud, credit card fraud, document fraud and telemarketing, to name a few."

This problem is widespread. What the government is trying to do is to make it much more difficult for those involved in these activities.

1650

**The Acting Speaker:** Response, the member for Northumberland.

**Mr Galt:** I appreciate the comments particularly from the member for St Catharines and also the member for Dufferin-Peel-Wellington-Grey. However, maybe I could just make a few comments about the member for Beaches-East York, who is concerned and talked about the proper test that would be present in this legislation, or at least it would guarantee a proper test, a proper challenge, whatever, for the individual in court. I draw to his attention that it's the province that's going to court. It's not some fly-by-night individual who would be doing this and trying to work it through the courts. The courts are there as a protective step.

There's also the fact that this legislation not only has been reviewed but we've worked with the Information and Privacy Commissioner to ensure that there would be a proper balance here. I hope that the member for Beaches-East York would recognize the kind of work that has gone into this to get a balance.

We've copied from a lot of other jurisdictions, a lot of other countries and how they brought in their legislation. We've also added to it the fact that the victim could receive some of the funds and some of the assets presently held by organized crime that would be challenged by the province for them.

As mentioned by the member for St Catharines, some of those dollars could be used to help equip some of our police forces. Sometimes there's a lack of tools to be able to go out and fight organized crime. Rather than leaving all those assets with the criminals so they can attack more victims, this legislation would allow some of those assets and dollars to go to the police force so they would have the tools to fight organized crime.

**The Acting Speaker:** Further debate?

**Mr Bradley:** This is a piece of legislation that I've had a chance to intervene in on a couple of occasions with responses. This is a piece of legislation that when you initially see it, if you're a civil libertarian, you're going to be quite concerned about it because you see the opportunity for people in authority to abuse the provisions of this legislation. I don't think people have that intention.

What militates in favour of supporting the principle of this legislation is the fact that we have a genuine problem throughout the world with organized crime. There is nobody in this House who is in favour of organized crime. There are people who are going to have different things to say about this bill, but even those who oppose

the bill are not in favour of organized crime or soft on crime.

I think the bill does allow us to take a step forward in terms of seizing the assets of those who are involved in those crimes. We always hear about money laundering. We always hear about the use of funds which are derived from criminal purposes for perpetrating even more criminal acts on a society. That is why I think we need this kind of legislation, at the least, to deal with this problem.

There was in Bill 155, which I've described previously to the House, a provision that was characterized, I don't know by whom, as the J. Edgar Hoover clause. J. Edgar Hoover, as most people know, was the former head of the FBI in the United States and considered to be a person interested in personal information and health information on people who had oversight over J. Edgar Hoover himself. So there was a concern with that provision in the legislation that it could be misused. Indeed, the Information and Privacy Commissioner expressed her concern, and I think a genuine one, about that clause. By the way, I should note that this bill has been announced at least four times. When it came back to the Legislature in the form of Bill 30, that provision had been removed. That was one which caused a good deal of angst on this side of the House.

My understanding is that the Liberal critic, Mr Bryant, has proposed further amendments to the legislation, and I hope the government is prepared to accept those amendments.

I always think that bills can be improved. I know that governments are reluctant to accept amendments that they feel significantly weaken or alter their legislation. Nevertheless, in this case I think they would be wise to look very carefully at the amendments proposed by the opposition and perhaps incorporate them into the legislation to make it more palatable to those who have concerns about civil liberties. I think that's a large section of people in the country. There's no question that it is popular to be in favour of this kind of legislation. Where the popularity diminishes is if somebody misuses a provision within it and then holds accountable those who have been in favour of this legislation. So that's a dilemma that members who are in the House have when dealing with the specific provisions of this act.

Many of us have expressed support for a bill because there's clearly an established link between organized crime and terrorism. We see terrorism as a major threat to our country and to countries around the world today. That has been recognized by Canada through United Nations General Assembly resolutions. Bill 30 would permit the seizure of assets of organized crime and terrorists alike, hitting them in the pocketbook as recommended by CSIS and other security experts.

Let's focus a bit on that because we've had an example recently of a major terrorist act with consequences which probably no one in this House or around the world contemplated, except those who were planning the act of terrorism. We have noted in news stories since—and heaven knows the news outlets have been

preoccupied with doing their investigative reporting on this, because they're certainly not doing investigative reporting on this government at this time, so they must be preoccupied with something else, and probably justifiably so. But what we have discovered in these investigations is that there is a direct link between the money we see—illegal money in many cases—and the ability of terrorists to carry out their act. Now governments are looking, I think with a good deal of interest, at how they can possibly cut off those sources.

Some countries have been more successful than others. I think all countries are now evolving toward a position where they want to cut off that source, because terrorists—for instance, in this particular case in New York and in Washington—needed the money to purchase equipment, needed the money to take lessons in flying, needed the money to pass their secrets back and forth, required funds to purchase airline tickets. In other words, there's a myriad of reasons that they had out there for acquiring funds. Now, as the FBI and CSIS and Interpol and so on look around the world, they're seeing that money was moving from one place to another, and there's a good chance that the movement of that money enhanced the opportunity of terrorists to carry out their acts which we all condemn. So this legislation probably has even more meaning today, after September 11, than it would have had previous to that. Not that organized crime by itself did not deserve legislation of this kind, but it's even more compelling when you look at the unfortunate circumstances we faced.

Ontario has lost over \$1 billion to organized crime since 1995, when this government took office, and we're falling behind in the fight against organized crime. I think most people would concede that, unfortunately. This bill I think is a step in the right direction, particularly if the bill is amended as we in the official opposition would like it to be amended.

One of the things the member for Niagara Centre dwelled on for some period of time, and I guess those of us in the opposition are more inclined to look at these matters of resources than those on the government side: I think you're going to have to hire an army of forensic accountants and prosecutors to enforce the bill or it will simply be a piece of paper that one can wave at election time. It won't have the kind of force and value we would like it to have. So it's going to require an investment in forensic accountants and prosecutors.

This allows me to deal with one of my favourite issues, and that is when you say, "Where are you going to get the money for this?" I've got a place to find it. I would recommend that the provincial Treasurer of this province, now known as the Minister of Finance, abandon the tax cut for corporations, that \$2.2-billion tax cut for corporations, or the income tax cuts we all like to get.

1700

**Hon. R. Gary Stewart (Minister without Portfolio):** Government advertising.

**Mr Bradley:** Government advertising, I think, is another place. I always appreciate getting help anywhere I can, even from unusual places.

I think it's about \$945 million in personal income tax cuts. You can estimate from \$300 million to \$500 million that's going to vouchers or tax credits for people who will have their children in private schools. That's where we can get the money. I know the government doesn't want to slash other areas to find the resources for this legislation's implementation. I know the government doesn't want to run a deficit. I think the days of deficit financing are somewhat behind us right across the country. In fact, right across North America and the world we see much more fiscal accountability. I think we saw a movement around the world well away from fiscal accountability—in other words, balancing the books—to a position where we have that to be the norm today. I can understand the government saying: "We don't want to go into a deficit position. We don't want to have to cut health care, education and environmental protection to find the money for the resources to implement this bill."

My positive solution is that we abandon government advertising, which is \$235 million since this government has been in power, and that we forgo the tax cut to the corporations, which is \$2.2 billion and would put us 25% below adjacent American jurisdictions. We're already very competitive. We shouldn't be uncompetitive; we're very competitive. I'm prepared to give up my income tax cut to ensure that we have the necessary forensic accountants and the prosecutors to enforce this bill. It has good potential, but it will not be appropriately implemented without those resources.

We find that the Harris government, until very recently when we had some anti-terrorist announcements made, had committed only \$4 million to fight organized crime, when I think there's an admission that organized crime costs our country some \$7 billion a year.

It's always interesting to follow the path of these pieces of legislation. This one has been announced several times. The initiative was first announced in the Toronto Sun in May 2000. I can certainly understand why it would be in the Toronto Sun. I won't go into that in great detail, but it was announced then. Attorney General Flaherty, as he was then, attended four summits on organized crime, in Vancouver, New Jersey, Delaware and Washington. In August 2000, then Attorney General Flaherty hosted a summit on organized crime in Toronto, and the government introduced this bill in the fall of 2000, only to let it die on the order paper. So it has had some history before it actually reached the House in its present form.

We have concerns—and I think they are significant concerns—that the bill is overly broad in its provisions, potentially capturing activities that have nothing to do with organized crime. That's why we're introducing some amendments to narrow the scope of the bill's application. We think it should be applied to organized crime, but several members of the House who have spoken have mentioned instances where it could be

applied where I think the average citizen is going to be highly annoyed and agitated.

There are already significant powers of seizure available to the crown under the Criminal Code. In committee hearings, Professor Margaret Beare of Osgoode Hall Law School said, "Ontario is the province that tends to use" the existing power of seizure "less than some of the other provinces."

I think there has been a major change made from Bill 150 to Bill 30. I think there are other changes that could improve the bill. There's no question in my mind, and I'm sure in my colleagues' minds, of the need for this legislation and I want to see this legislation passed, if we can, during the fall session of the Legislature, with appropriate input. But I think it's needed.

I think it's unfortunate and unfair that our police forces that are battling organized crime find themselves sometimes with one hand tied behind their back because they don't have all the tools that they would need. Probably focusing in the public mind more than anything has been the utilization of illegal funds, funds derived from crime, for the purposes of perpetrating upon the population of the United States and some other countries acts of terrorism that have a damaging effect on our society.

So I believe that this bill is worthy of some support and I hope it can be improved as we have asked. We certainly support the crackdown on crime and its causes, and we will, as a vigilant opposition should, be watching to see in the subsequent budgets brought forward by the government where the funds are that are devoted to the implementation of this legislation. Because it's not easy. I think people should never assume that it's easy for our police forces to deal with highly sophisticated international syndicates of crime that have lots of money and can hire the best of people, albeit with illegal money, to carry out that which they want to have carried out. So we've got to have our police with the opportunity to combat this organized crime.

There are a number of ways we can do that—certainly the provision of the necessary number of police officers and equipment on the front line to deal with it. That's outside the parameters of this bill, but it's in addition to this bill. Having police officers there to be able to respond in a timely fashion to crimes that are committed is something that everybody in our community, and I'm sure every community across this province, would want to have. So any additional tool that we can give to our police forces to combat organized crime, to combat serious crime, without intruding unnecessarily on the rights of individuals, is a piece of legislation that is worthy of serious consideration and of support.

I know that we will hear further from those who are in the legal profession. We have some members of this House—I'm not one of them—who happen to be lawyers. We have a member who has served on the bench as a judge who would have some background knowledge on this. We have members of the Legislature who have served in—I can think of at least one who has served on a

police force. So we have some input from people who are on the direct line of the prosecution and of the enforcement of laws and dealing with the court system. The parliamentary assistant—who I think should be a minister in this government, is certainly capable of being a minister; I know he won't put this in his campaign literature—has pointed out how this bill can be applied in a manner that (a) will deal with organized crime, but (b) will not be utilized against people for unnecessary reasons.

Our media and our bar, as they call it, the lawyers, are going to be vigilant as to how this is applied. If it's misapplied, I can be assured, I believe, that members of the legal profession, members of the judiciary and those who are in the news media will be quick to draw it to the attention of the governing party and of members of the Legislature, so that if there are further amendments that are required to the legislation, those amendments can be made.

I think we have a situation where those of us in the opposition, at least in the official opposition, see enough in this bill which combats organized crime to be able to support the legislation. We hope not only will the amendments be made but we hope the government will give a commitment to monitor this bill to see how it's being applied and to see if it is in any way being abused, because whenever we abuse these powers we have some problems.

Because there's an oversight—and the parliamentary assistant has mentioned this, there is a judicial oversight—I think some of the angst is removed. There's both a judicial and another oversight with this legislation. For instance, when you're asking for wiretaps at any time or you're asking for seizure of goods or you're asking for intrusion into someone's home setting, it is always much more acceptable if you have a court or a judge ruling on that application by the enforcement personnel, because without that there is a potential for abuse. With that oversight, we see that potential very drastically reduced. I think that's what's happened with this bill.

So I conclude my remarks on this legislation and hope that the necessary changes can be made and that the final bill that we see implemented will be a bill which overwhelmingly in this province will be supported and which will have the effect of dealing with proceeds of crime being used by those who perpetrate the crimes and that we can seize those proceeds and ensure that they aren't to be used for the benefit of those who are engaged in criminal activity.

1710

**The Acting Speaker:** Questions, comments?

**Mr Prue:** I listened to the member for St Catharines and I thank him for his opening statement. Those of us who are critical of some aspects of the bill, in particular sections 16, 17 and 18—that's the only part of which I am personally critical. The rest of the bill is absolutely fine. The member for St Catharines went on to say, though, that none of us here in this House are soft on crime, and I thank him for that, because I would hate for

anyone in this House or anyone watching this on television to think that I have ever been or would ever be soft on crime.

We need in this country to take a far more serious view of criminal activity than we have in the past. We need to take a far more serious view on terrorism than our country has done in the past. Again, I go back to those provisions of sections 16, 17 and 18, which civil libertarians find offensive or somewhat offensive. It's because it establishes a lower test for the finding of guilt and therefore a lower test on how property can be seized. I give but one example, because the member for St Catharines talked about terrorism. Terrorists take many forms but one of the forms that one sees most often today in the newspapers is when a person is accused under the Immigration Act of being a terrorist or being involved in terrorist activities or where a person has profited a terrorist group.

For a person under the Immigration Act, what is necessary is for a certificate to be issued. I know this, having been a former counsel to the Minister of Immigration for 14 years. A certificate is signed by the Minister of Immigration and by the Minister of Justice. The certificate therefore exists and there is literally no defence for the person who is so named, because they will never know the sources. That same person, not knowing the sources, would then be a terrorist subject to deportation and could have his assets seized and would never know the reason why. People have to start thinking that maybe this—

**The Acting Speaker:** Thank you. Questions or comments?

**Mr Tilson:** To the comments made by the member for St Catharines, he did refer to a number of amendments that were put forward by the Liberal caucus, their very able critic, Mr Bryant, the member for St Paul's. I believe there are four amendments and we've rejected those amendments. There are at least two, quite frankly, that we rejected because we believe, with legal counsel, that they extended into the federal jurisdiction. They may have been admirable amendments, but we didn't feel that it was within the jurisdiction of the province to pass what Mr Bryant was suggesting. So that was the reason why, and I think that was supported by the New Democratic caucus as well.

However, I am pleased that the Liberal caucus is supporting this legislation. The member for St Catharines talked about how, by a gigantic coincidence and it's unfortunate we have to talk about September 11, it does cover that. We refer to the bill as "proceeds from organized crime," but it's not that. If you look at sections 2 and 3, I believe, we talk about "proceeds of unlawful activity," which would proceed into the area of terrorist activity that he spoke of. If it's established through the police, the gatekeeper and finally the Attorney General that you can take an action to the courts, unlawful activity that is undertaken by people who are conducting terrorist activity, the assets could indeed be seized.

With respect to the proceeds, and the member for St Catharines referred to the proceeds, people from other jurisdictions who have this legislation already came to us and talked about that. There were some of the American jurisdictions. If assets, and it could be cars, it could be money, it could anything, were not—those proceeds could be used by the police or other law enforcement agencies to fight crime.

**Mr Caplan:** I want to congratulate the member for St Catharines on his remarks in relation to Bill 30. While I was here, I was in the west gallery, and I want to introduce to the House Judy Codd, who happens to be a trustee here in the city of Toronto, her daughter Beckie, and Joyce Ma. They are here with Judy on Take Our Kids to Work Day.

*Applause.*

**Mr Caplan:** Thank you. Many of the members would remember that Beckie was one of our pages here last year. She made a comment to me. She said, "Wasn't this bill debated at a previous time?" I said, "You must be referring to Bill 155, which was introduced by then-Attorney General Jim Flaherty. It was a similar draft to this bill, except some of the offensive sections that were in that bill have been left out, Beckie, in Bill 30." The infamous J. Edgar Hoover clause is one example. The sweeping powers to seize health records have also been removed.

Bill 30, while it's not a perfect piece of legislation, is certainly palatable, is much more acceptable. While Liberals have introduced amendments to the bill that unfortunately have been rejected by the government, we feel there is sufficient merit to support Bill 30. I think the member for St Catharines very ably laid out our concerns and what areas we support.

I wanted to bring that to your attention. Once again, I congratulate the member for St Catharines on his remarks.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have to congratulate the member for St Catharines for his knowledge and also his comprehension of the importance of that piece of land. As a former Minister of the Environment, he's definitely aware of the importance of such a piece of land.

When I looked at a map that shows the distance of this Oak Ridges moraine area land, it starts off east of Northumberland, which is the riding of Dr Galt, the member for Northumberland, and it goes right down to Dufferin, which is, to me, approximately 125 kilometres long. So I see the importance, especially when it comes time to recognize what we have in there at the present time. All the people of this huge city of Toronto like to go outside on a weekend and take a walk on this very important piece of land, which is the Oak Ridges moraine.

Once again, we have decided that we will support it, but not without coming up with some amendments to it.

1720

**The Acting Speaker:** Response?

**Mr Bradley:** I appreciate the remarks from all the members. It's nice that there's the flexibility in this House that we can provide input even on speeches that were made previous to this afternoon. That is, I think, one of the encouraging things. I appreciate all the comments that have been made.

I want to say that this is not the kind of bill that a lot of people approach with enthusiasm. I think it's the kind of bill you look at and say is necessary. It's probably something we wish we didn't have to implement. We probably wish there wasn't the threat from organized crime. We probably wish people did not use the money they derive from those crimes to perpetrate further crimes and that it wouldn't be necessary to seize assets from people.

But that's not the world in which we live. We live in a very difficult world, particularly today, as we recognize. So when I hear members of the Legislature speaking about this bill, I'm not unmindful of the fact that most members of this Legislature would wish this legislation wasn't required and would want to be careful in how it is applied.

I find it unfortunate that the legislation has not been amended by the amendments proposed by Michael Bryant, the Liberal critic. Nevertheless, it is the prerogative of the government to either accept those amendments or not accept them. One would hope that upon passage of this bill the government will monitor its effect and, if it deems it appropriate, may well wish to accept at least a couple of the amendments that have been put forward by Mr Bryant and bring the legislation back and improve it from its present state.

**The Acting Speaker:** Further debate?

**Mr Rosario Marchese (Trinity-Spadina):** It's good to have these opportunities to speak on these bills.

It's always good to see David across from me. He's here all the time—it's amazing—and a few other members: Dunlop as well, and Gill, always here. It's good to see them in this House. I want to tell the citizens of Ontario that a couple of members are always here, whether they're on duty or not. Mr Tilson is always here. I think he's here because he supports me for leader, I presume, of the Conservative Party. Is that it? But I'm afraid I just can't do that.

I'm speaking against Bill 30. Our critic has spoken against it.

**Mr Garfield Dunlop (Simcoe North):** Come on. We're counting on you.

**Mr Marchese:** I know. Every time they introduce a bill having to do with crime, these Conservative members just expect the opposition parties—at least the Liberals are obliging you—

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: The member is always worth listening to, and I note there may not be quorum.

**The Acting Speaker:** Is there a quorum present?

**Clerk Assistant:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Quorum being present, the member for Trinity-Spadina.

**Mr Marchese:** Thank you, Speaker. And I thank my Liberal colleague for calling the Conservative caucus to come and pay attention because they get paid the big bucks to do that.

**Mr Jerry J. Ouellette (Oshawa):** Because your members won't come to listen.

**Mr Marchese:** My members don't have to listen to what I have to say. It's you who have to listen to what I've got to say because we're debating your bill, not mine. When we debate your bills, it's up to you to listen to the opposition to determine whether or not there are things—

*Interjections.*

**Mr Marchese:** They're not happy.

**The Acting Speaker:** Order. The member for Trinity-Spadina has the floor. He is the only one permitted to speak. The member for Trinity-Spadina.

**Mr Marchese:** Thank you again, Speaker.

I have 17 minutes to chat with you briefly about this particular bill. I would say to the citizens of Ontario that it's now 5:25 of the clock, we are on live and we are discussing Bill 30, a bill called "organized crime." That's the way it's listed here.

Of course, those of you who faithfully follow this political channel will remember that this government had introduced a similar bill a while ago, with a great deal of fanfare, you understand: the gongs, the cymbals. Every time they introduce a bill connected to issues of crime there is always fanfare. There is always a trail of people with cymbals just cheering the government on. You will remember that this bill, introduced in a previous life, was killed by this government in the last session. Lo and behold, they introduce it again in this session, again with fanfare and cymbals and press conferences, talking to you, Ontario citizens, about how tough this government is on crime. That's what they're good at. They're good at putting together press conferences reminding you that this is the only government that cares about dealing with issues of crime.

*Interjection.*

**Mr Marchese:** My buddy from Ottawa West will understand what I'm talking about when I'm about to criticize his colleagues, because a couple of weeks ago the member for Ottawa West had a bill before this House urging his government members, and the opposition parties, to support him in his efforts—and we did—to, in London, go after the pedophiles who not only assaulted but humiliated and destroyed the lives of so many young people, now much older. Through his efforts we have a bill that hopefully will be debated and, once and for all, we hopefully will get people—

*Interjection.*

**Mr Marchese:** You're right. When we were in government we didn't do what Mr Guzzo from Ottawa West is hoping to get us to do at the moment. You're right, some of the Conservatives who were talking about this. I am happy to report that some of the Conservative

members have supported Mr Guzzo's bill, at least getting it to committee for debate. We'll see what happens to that bill. But I congratulate him, because the member for Ottawa West said, "We have to go after the pedophiles—past, present and future."

He made reference that day to the fact that this government, oh yes, has been so tough on the squeegee kids. Do you remember, member for Ottawa West, you said that? I agree with you because I too in this House have said, "Oh yes, you've been tough on crime. Where have you been tough on crime? You went after squeegee kids a couple of years ago." That's the extent of your toughness. That's the extent of how powerful you people are. You went after harmless little individuals who were on the street corners of Spadina and King and Bathurst cleaning the windshields of your cars and mine, and you were so effective in going after them and clearing them off the streets—

**Mr John Hastings (Etobicoke North):** Threatening people.

**Mr Marchese:**—so that Mel Lastman could be happy with you in his efforts to clean the streets of these people. Oh boy, John, were you tough in doing that.

**Mr Hastings:** It's OK to threaten people in this society, is it? It's OK to threaten people?

1730

**Mr Marchese:** We're debating the bill. I'm not sure what it is that you think I've said that isn't part of this bill.

**Mr Hastings:** You leave things out, that's why.

**Mr Marchese:** I'm saying to you, Speaker, and through you to them—because they're attentive, you will understand. Oh yes, they can be tough on harmless individuals trying to make a buck, trying to clean your windshields. You did that well. Now there are no squeegee kids, of course; they're finding different ways of making a buck.

You will recall, and perhaps former Judge Guzzo will agree with me as well, that yes, you introduced a Victims' Bill of Rights, and we've spoken about that particular bill in this House. You were going to give rights to victims and for that very reason you brought forth a bill in this place a couple of years ago that said victims have rights, and it's only in the bill and the title of the bill, that's all. The rights you gave victims were a couple of pages of the Victims' Bill of Rights, with a title that says, "You victims, we feel for you. We're going to give you rights." They just put it in the title of the bill and that's the extent of it. Mr Dunlop, you understand what I'm saying. It's really funny, right?

This is how strong and powerful they are, giving victims rights only on paper and only in the title of the bill. When we've had victims like Linda Even and Karen Vanscoy using your bill, the Victims' Bill of Rights, to go to court to seek redress—because they understood through you that they had inherent rights that were contained within that bill; that they could go to the courts, seek redress and find satisfaction because you had given them rights in that bill. They took it to court feeling

very confident that you were going to be tough on those criminals and you were going to be on the right side of that fence by giving victims power they so richly deserve. So they take it to court and those poor victims, those two women, realized in the course of those events that they had no rights. Judge Day ruled against the victims saying, "Sorry, this bill has no rights inherent or contained within it."

Your lawyers, your very lawyers of the Ministry of the Attorney General, went in front of the judge and argued there were no rights in the bill. But you so smugly paraded the bill, making it appear that you had given someone something that was not contained in the bill. Oh yes, you're so tough on crime and so tough on criminals, but where it really matters, you're not there.

Yes, your corrections minister has introduced grooming techniques or methodologies and/or grooming exercises. I'm not sure quite what to call it. So your corrections minister is going to get into those jails and he's going to be tough on those criminals. What has he instituted to get tough in corrections? He's going to make sure their hair is combed, presumably, and that maybe they're shaven cleanly or perhaps wear a nice white T-shirt or a white shirt, I'm not quite sure; or maybe make sure that their toenails are clipped properly, and let's not forget the fingernails. Right? Oh yes. Oh boy, is this government ever so tough on criminals. They're talking about grooming. I don't know how you guys could stand upright, Tory members, and say, "We're going to be tough on crime."

**Mr Hastings:** We were and are.

**Mr Marchese:** John Hastings from Etobicoke Centre—

**Mr Hastings:** Yes, way out in Mars.

**Mr Marchese:** Somewhere out there in Etobicoke. It's not far from me. You're still in the city of Toronto. This is what they propose by way of being tough on crime. Do you remember the gun law? You were going to prohibit anyone under 18 from having a toy gun. But anyone over 18—

**Mr Dunlop:** C-68?

**Mr Marchese:** Yes, that was a Liberal study that you guys adopted. I understand. But you guys liked the bill because you wanted to be tough on crime. So toy guns were to be prohibited for young people below the age of 18, but those over 18 could presumably legally get them and pass them on to somebody else.

Peter Kormos said, "Look, we've got to toughen this up. If you're going to be tough on crime and if you believe toy guns are dangerous, you've got to make sure they're illegal for all. You've got to ban them for all, young and old." You just eliminated kiddies' having them, but what prevents some Conservative individual or whoever saying, "This is just a toy gun. I'm going to buy it for my little grandchild or somebody else," and just passing it on? Unintentionally, perhaps; not intentionally, I would assume. That's the extent of your legislation regarding being tough on crime.

I give you this, people watching, good Ontarians all: see, you get a context of what it is that these Conservatives present to you by way of how tough they are on crime. When it comes to being tough on crime, Peter Kormos, my buddy and colleague from Niagara Centre, has often attacked this government for not putting enough money into the police force, where properly our resources need to be put. If you don't have enough police men and women in our streets of Ontario to protect Ontarians from crime—from break and enter, from all types of fraudulent activity that the police do not have the time to pursue because they don't have the resources—if you don't put the resources to fund—John, nice to see you—to make sure that the police men and women have the money to do their job, if you don't do that, you're not being tough on crime.

How often, good citizens, have we reminded you that under the NDP's regime we had 1,000 more police men and women in the streets than these people do in a good economy. For the last six years, we've had 1,000 fewer police men and women in the streets of Ontario, and that in a good economy. If this government cannot put the money into essential services when there is money, what can we expect of them when there is little money? This recession is here, it's going to stay for a while; it always does. It stayed when we were in power as New Democrats; it's going to stay with you in spite of the fact that interest rates are so very low. In spite of the interest rates being so very low and in spite of the fact that you people have introduced these fiscal policies to give billions of dollars away to high-income earners—your buddies, mostly—we have a recession.

You have not been able to prevent the recession from coming. Mike Harris, who claimed he was going to make this economy recession-proof, has not been able to do it. That's why he's leaving. He's departing in a jiffy to get out of here because he knows, when the recession comes, it will not be pleasant. Mike decided that he's had six good years, and good years in opposition, that he will not be able to withstand the pressure of the recession, that he might, as a result of his policies, lead us into complete economic disarray, and he doesn't want to be left there driving the limousine. He wants to leave it for somebody else to take care of that worn-out jalopy. That's why he's leaving.

#### *Interjections.*

**Mr Marchese:** Speaker, I say to you, man oh man, do they whine. I have never seen so many government members whine as this Tory bunch. I used to remember Gary Carr in this place in opposition, Minister Stockwell when he was here and Mike Harris, just attacking Bob Rae for daring to say that the federal Conservative government, followed by the federal Liberal government, had not put in their fair share of the transfer payments to Ontario. We were in a recession. We were hoping the Conservative government at the time—Mulroney you will remember—and the Liberals who followed—M. Chrétien et al—we were expecting some charity from them, that they would flow some dollars—

1740

**The Acting Speaker:** The member would know he's maybe straying a bit afield from Bill 30. I know he's about to tie it all together, but I would appreciate it if he did that shortly.

**Mr Martiniuk:** He doesn't even know what bill that is.

**Mr Marchese:** I know some of them are very sensitive when I talk about Liberals. They don't mind when I talk about Tories. I understand that. I want to be fair. We didn't get our fair share. Now they whine about how the federal Liberal government isn't giving them any money to deal with issues of crime, with issues of our health care system and our educational system. They claim—all right, Speaker, I know you're bored of the topic.

This bill doesn't get to the heart of the problem. We need more judges. We need more lawyers—who are plea-bargaining with judges because there are not enough crown attorneys to deal with the issues that come before them. They have to plea-bargain and get those issues out of the way as fast as they can. They shouldn't be plea-bargaining because we don't have enough. They should not be plea-bargaining on issues of serious crime. They are doing it because they don't have enough crown attorneys and they need to move that on. So many of those issues are not dealt with. Those of you who are lawyers on that bench know that.

This particular bill will ensnare possibly innocent victims—and we are worried—because the Criminal Code has a threshold that is higher than the civil code you want to apply to these so-called potential criminals. The Criminal Code has a higher threshold. What is that? You prosecute on the basis of reasonable doubt. What this bill does is potentially prosecute people on the basis of probability, on the basis of mere probability, not beyond reasonable doubt. There is a 95% potential that people will be convicted on the basis of that higher threshold. The Criminal Code exists to deal with the issues you want to deal with. What do you do? You present a bill that will not do it, and that in fact may capture and snare innocent victims.

You, Speaker, ought to be concerned. We are concerned about that. We are saying we don't want innocent victims to be captured by this law. The Criminal Code exists to do that. We say, use that higher threshold of reasonable doubt; don't use the civil code of probability, because you're likely to punish people who are innocent. You're likely to take the property of individuals who are innocent.

We say to you, good citizens, these Tories are not tough on crime. All they do is present bills in this place with titles that say, "We're dealing with crime," and that's the extent of their agenda on these issues. It's just so—it's almost criminal. One gets filled with tears talking about it. It is criminal that they could present such bills, which will hurt innocent people. It's for that reason that New Democrats will oppose this bill and vote against it.

**The Acting Speaker:** Questions and comments?

**Mr Dunlop:** I have to say that every time the member from Trinity-Spadina stands up, it is entertaining. We on this side of the House enjoy your comments. We don't always agree with what you're saying. What disappointed me was, watching the World Series game the other night, I noticed the winners of the Emmy Awards along the bottom of the screen. Rosario—I'm sorry, the member—didn't win an Emmy. I was sure he would win one, because the entertainment from the member from Trinity-Spadina is better than you see on a lot of TV programs. I appreciate him here in the House.

A couple of quick comments, Mr Speaker. His comments about the squeegee bill—I know he hates the squeegee bill. I would suggest, from this side of the House, that a great private member's bill to introduce would be one to take the squeegee bill away. I'd like to see the support for that. I'd like to see what's so terrible about this bill. I've heard nothing but good about it. I don't see people harassing people on the streets, so possibly, as a suggestion, you could bring in a bill to reintroduce the squeegees on to the streets of Ontario.

The second comment you made was something about a gun bill, and you kept pointing at us.

**Interjection:** Which bill was he talking about?

**Mr Dunlop:** I think he must be talking about Bill C-68, which is a federal bill. I agree, and I think everyone in this House probably agrees, that there has probably been no more disastrous bill in the history of this country than Bill C-68. I forget the man responsible for it, but I think his name might have been Rock. I don't know if it was Allan Rock or not, but I think he promised it would cost something like \$60 million a year to implement this program. With the events that are happening in Miramichi right now in New Brunswick, I think we're up to \$700 million now, and it still isn't implemented. And guess what? The criminals still have the guns. All the hunters and so on are registering and they're making sure that everything is up to par as far as registration goes, but the criminals still get their guns.

I hope everyone supports this valuable piece of legislation.

**Mr Duncan:** I'm pleased to respond to my colleague from Trinity-Spadina. First of all, I know his party is not supporting this bill. He put their arguments well. We have decided to support the bill and I personally have voted in favour of the bill, because since the introduction of Bill 155 in the previous session, the government got rid of the so-called J. Edgar Hoover clause.

I think all of us are cognizant when we introduce initiatives of this nature that there are always questions around civil liberties and how bills like this will impact on those. On balance, I feel the bill is a good step forward. We proposed a number of amendments, most of which were not taken up; however, the bill itself remains fundamentally strong.

The New Democrats, in my mind, are not cognizant of the realities of September 11. That is another thing that has changed the dynamic on debates about this and many

other things. I believe that given the climate, given the need to deal not only with organized crime but with terrorism—by the way, there are the links between organized crime and terrorism—it's incumbent upon us in this assembly to accept this bill, given the flaws we have pointed out in committee and given that the government would not accept our amendments. I think it's important at this time especially that we do this.

We also need to keep in mind, as the war against terrorism proceeds and eventually the forces of goodness triumph over evil, not only here but around the world, that we review these types of provisions from time to time to ensure that the very basic civil liberties we have come to expect as a society continue to be respected.

While not perfect, the bill represents an important step forward. I was pleased to vote for it on second reading, and I'm pleased to vote for it in support on third reading.

**Mr Prue:** I listened, at least for the last part, to my distinguished colleague from Trinity-Spadina, and I agree with the members opposite that he is quite an entertaining and brilliant speaker. He's even better on television than he is in person. He captures the entire screen.

What he said in a nutshell, and what was important and has not been dealt with in this bill or in this House or in any way I have seen at all in this Parliament for many years, was that we are woefully underfunding our judges, our system of justice. We are woefully underfunding the number of crown prosecutors. It takes years to get something before the courts. We have a system that allows for plea bargaining and delays, which allows people to get off. It allows the innocent to be caused a lot of problems and it allows the guilty occasionally to get off, because the delays are innumerable.

We have a problem where there aren't as many police officers in this province as there were only five years ago, even though many people will tell you that criminal activity in certain spheres is up, particularly violent activity.

The immigration department, which is largely a federal responsibility but for which this province does have jurisdiction under the BNA Act and has done absolutely nothing in its whole history—it's the only province in Canada that has not signed an accord. They have cut back the number of immigration officials, the number of people who look for illegal immigrants and those who may be involved in terrorism, and they have not spent sufficient money on CSIS.

With the greatest respect to my Liberal colleague over there who said the NDP does not understand the forces of September 11, the federal Liberals and the Conservatives before them in Ottawa had never understood one iota of what terrorism was in this country and what was happening in the immigration department and what was happening with people who were coming here with fraudulent claims and no identification whatsoever. They have never understood and it's about time they understood—

**The Acting Speaker:** Thank you. Questions, comments?

1750

**Mr Tilson:** I enjoy coming to this place for a number of reasons, but one of the many reasons is to listen to the member for Trinity-Spadina. In my riding, from time to time, as in most of our ridings, we have something called a fundraiser, where we try to raise funds for our various political parties. We're always looking for speakers to come to our ridings, people who are controversial, who are very flamboyant. I would love for the member for Trinity-Spadina to come to a Conservative fundraiser in my riding. I don't know whether he'll come or not, but he's such an outstanding, colourful fellow. I don't know whether he'd come or not, but I will say that.

He talked about a number of things. He went down the list from squeegee kids to the Day case—or what is called the Day case; it's after a judge, actually—he talked about grooming of criminals, he talked about toy guns. "We need more lawyers," he said. "We need more lawyers."

**Mr Kormos:** What did Shakespeare say about lawyers?

**Mr Tilson:** That's right. The member for Niagara Centre said, "Listen to what Shakespeare said," and that's true. But the member for Trinity-Spadina said we need more lawyers. One point I would like to make is that it is interesting that he should raise that issue, particularly with the topic of Askoving, which has become part of language, which developed, I think, with the Liberals. I won't refer to the former Liberal Attorney General. But it did move over when you people, the New Democrats, were in office, and the problem became far worse when you were in office. I will say that the number of crown attorneys, since we have taken office, has doubled, since 1989.

**The Acting Speaker:** Response? The member for Trinity-Spadina.

**Mr Marchese:** Thank you, Speaker. You're so charming.

I just want to thank my friends and enemies, and I've got a few Conservative friends from time to time. They are kind to me and I'm glad they find me entertaining. I'm here to please them too. Mostly I'm here to please Ontarians, but if in the process you were pleased and entertained, God bless; I'm happy. If the member for Dufferin-Peel wants me to go to his riding, to his fundraiser, I want to share in the profits, because at our fundraisers we only charge \$25. I know that at his fundraisers it's probably \$200 and up. I want the proceeds.

Member for Ottawa West, if you're having a fundraiser and you want me to speak, I'll share the proceeds with you as well, as long as you give me the liberty to speak on whatever issues, particularly on issues of crime-related bills, please.

I've said here in this place that what we need is for this government to commit itself to dealing with issues of crime, but in a serious way. Peter Kormos, from Niagara Centre, has often said we have 1,000 fewer police men and women now than we did in 1992, and that's wrong. They can't do the job of following up on issues of break-

and-enters; they can't. They don't have the money and/or the resources to do it.

We need crown prosecutors, I said, member for Dufferin-Peel. That's what we need, and that's why: because there are so few of them, they're plea bargaining—on issues of real crime, plea bargaining. As the member from Niagara Centre said, it's not right. And we need more judges to deal with the issues that come before them, not fewer of them. You people, in a good economy, haven't done that.

This bill, which uses the civil court's threshold of balance of probabilities, will ensnare innocent victims. That's wrong. This bill, that says, "An offence may be found to have been committed even if a person has not been charged," is wrong, and it will ensnare innocent victims.

**The Acting Speaker:** Further debate?

**Mr Prue:** I rise—and I understand that I may not have very much time until 6 o'clock—to speak against the bill.

*Interjections.*

**Mr Prue:** Are you calling a quorum?

*Interjections.*

**Mr Prue:** I'm rising to speak against the bill. I'm rising because I find particularly objectionable sections 16, 17 and 18 of the bill. I rise because I think this is an assault on our civil liberties, that this country was founded on the rights of individuals to be presumed innocent until found guilty. The people in this country have always had the right to collect their own property and to hold on to that property, unless it was justifiably taken away by a court of law.

We have many remedies in this country, and the best one of all is the Criminal Code. The Criminal Code has been developed in Canada since Confederation, even prior to Confederation, and clearly sets out the rights of the accused, clearly sets out the right to be presumed innocent and clearly sets out the remedy in law that the state can take away those rights and incarcerate them. It clearly takes away when people can have their rights taken away.

*Interjection.*

**Mr Prue:** The people opposite are worried about organized crime and about terrorism, just as I am. I have told you time after time when I've been standing up here talking that we all have to be vigilant against organized crime. Organized crime is a terrible thing in all of its forms, no matter how it exists. We have to fight them. We have to fight them to the best of our ability, and the best of our ability is to do that which the state has the authority to do and which only the state can do: the authority to have sufficient police officers to investigate, the authority to have sufficient judges to sit in judgment, the authority to have crown prosecutors who are properly trained to present the evidence. That is where the authority should be vested. If the authority is properly vested there and if there are sufficient resources, then we do not need these other tools. With the greatest of respect, we will not have the need for them. To take the unprecedented step that is being set out here in sections 16,

17 and 18 is to potentially deny innocent people their right to own property, potentially to have them have that property taken away without sufficient cause, and that is the reason I am standing here.

Much has been said in the last few days about terrorism and if anyone—everyone; I don't want to say I'm special in any way. September 11 had the profound effect on every person on the face of this planet who cares about innocent victims. It has had a profound effect on every person who abhors terrorism, who abhors violence and who saw what happened to those innocent people in New York City, in Washington and on the plane that was diverted. Everybody has seen that and everybody is opposed to that. Any thinking, caring, sensible person is opposed to that.

Terrorists have been added to this bill, and that's a good thing, but how does one determine who is a terrorist? How is one a terrorist? The only part of any act of the federal government of this country that I am aware of that deals with terrorism, that actually can name a person to be a terrorist, is the immigration legislation, which sets out very clearly the authority of the state to deny entry to

a terrorist. That used to be in section 19. I'm not sure that it still is, because I've been out of that business for a while. Also, under section 27 it determined how to get rid of a person who was a terrorist. It was one of the prohibited classes.

To be a terrorist was very simple. All it required was for the Minister of Immigration, along with the Minister of Justice, to sign an affidavit, a certificate that the person was so named. That person was then a terrorist. They had the right to present evidence before a judge, but they never got to know the full case before them, and still to this day do not have the right to know the full case before them. They are hauled before a judge who will set out that they are terrorists and they are offered an opportunity to explain their circumstances and are given counsel, without ever knowing the full case. In the end, and I—

**The Acting Speaker:** I apologize to the member. You will pick up the debate when this order is called again.

It being 6 of the clock, this House stands adjourned until 6:45 of the clock this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Beaches-East York	Lankin, Frances (ND)	Hamilton West / -Ouest	Christopherson, David (ND)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of the Environment / ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Davenport	Ruprecht, Tony (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Don Valley East / -Est	Caplan, David (L)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Solicitor General / solliciteur général	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Durham	O'Toole, John R. (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Mississauga South / -Sud	Marland, Margaret (PC)
Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail		
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Etobicoke-Lakeshore	Kells, Morley (PC)		
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Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

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Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt Scarborough-Rouge River Simcoe North / -Nord Simcoe-Grey	Phillips, Gerry (L) Curling, Alvin (L) Dunlop, Garfield (PC) <b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Niagara Falls	Maves, Bart (PC)	St Catharines	Bradley, James J. (L)
Nickel Belt	Martel, Shelley (ND)	St Paul's	Bryant, Michael (L)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Transportation / ministre des Transports
Northumberland	Galt, Doug (PC)		Cleary, John C. (L)
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	Stormont-Dundas-Charlottenburgh Sudbury Thornhill Thunder Bay-Atikokan Thunder Bay-Superior North / -Nord Timiskaming-Cochrane Timmins-James Bay / Timmins-Baie James	Bartolucci, Rick (L) Molinari, Tina R. (PC) McLeod, Lyn (L) Gravelle, Michael (L)
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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario  
Second Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario  
Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 7 November 2001

Mercredi 7 novembre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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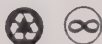
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 7 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 7 novembre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### OAK RIDGES MORaine CONSERVATION ACT, 2001

#### LOI DE 2001 SUR LA CONSERVATION DE LA MORaine D'OAK RIDGES

Resuming the debate adjourned on November 6, 2001, on the motion for second reading of Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / *Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.*

**Mr Doug Galt (Northumberland):** I'm really quite excited, really thrilled to be able to talk about this bill on the Oak Ridges Moraine Conservation Act, 2001, and the bill is numbered 122.

This is indeed a very unique piece of geology here in Ontario. I know we have several other moraines, and I'm sure that in the not-too-distant future we will be addressing this Legislature to protect them as well. But this is one where a lot of it's in the greater Toronto area and it extends east into Northumberland all the way through to Cramahe township, a little north of the village of Castleton. I wouldn't be surprised if the water that comes into my well actually comes from some of the aquifers that originate from the eastern end of the Oak Ridges moraine.

As I mention the well that we have at our country home, I think in terms of the fact that when you're out in the country you pay 100% for the development of the well, the maintenance and its operation. It's the same with a septic system; you pay 100%. Not only that, you have to pay for the inspection. It makes it just a little difficult for people in the country sometimes to see all the dollars that flow into the water treatment plants and the sewage treatment plants in some of our built-up areas, but I guess that's the way it goes. There's really not very much support when it comes to these private wells such as ours that probably is fed by the Oak Ridges moraine.

Bill 122 is just one more step in what our government has been doing that's very environmentally sound. I would challenge any other government that's been here in Ontario or, for that matter, in Canada or the US, that's

been doing as much as we have for the environment of our great province. I think back to some of the things like Lands for Life. Here was an opportunity that previous governments had, but what did they do? They talked a great story, but did they come through with anything? No.

What did our government do? We developed enough conservation area in Ontario to equal the square area of Lake Ontario, and that is dotted in different places throughout mostly northern Ontario. That's the kind of conservation the Harris government has been doing. It's going to be one tremendous legacy that will live on to remember what this Harris government has been doing in Ontario. I bring just that one example to you.

I think back and also reflect on the Niagara Escarpment Act which the Honourable Norm Sterling was very instrumental in bringing in.

#### *Interjection.*

**Mr Galt:** Sure, other governments could have been doing that kind of thing, but did they? No, that kind of thing didn't happen. I also reflect, when I was parliamentary assistant in the Ministry of the Environment working with the Honourable Norm Sterling and Brenda Elliott, on the kind of regulatory change we brought in. For example, there was a regulation that required people to bury pesticide containers rather than have them recycled, yet the ministry was trying to get them recycled, which was illegal. It just didn't make sense.

That's the kind of regulatory change we brought in, but also some of the legislation that was environmentally sound, such as the Environmental Assessment Act. Here was one where environmentalists, some people, seemed to think the way to protect the environment was to make it as complicated and as red-tape-ish as you possibly could make it. They thought the environment would be protected that way. But that isn't the way to protect the environment. What you want to do is get to a quicker answer: yes, to protect the environment, or yes, to go ahead with whatever project in an environmentally friendly way.

#### 1850

With the Oak Ridges moraine bill, what we're protecting and the concern that the public had was pretty extensive. Certainly, once it was introduced last spring and we had unanimous consent to carry it through first, second and third readings—that was the bill that froze development on the Oak Ridges moraine for some six months—there was a tremendous amount of interest. When I was on the street, whether it be in Port Hope, in

Cobourg, Grafton or Colborne, people were asking about this. They were phoning in, genuinely concerned about this Oak Ridges moraine, a rather unique geological area where oak trees grow and it's very porous. They often talk about it as the headwaters for many rivers and also for a lot of the fish, particularly trout, that are in our particular area. The public were very concerned.

They were also concerned about some of the water-take permits that have been requested. Between the Oak Ridges moraine and water-take permits, there were a very significant number of calls coming in to my constituency office. They are indeed very pleased with this legislation that's been introduced by the Honourable Chris Hodgson to recognize the importance of protecting an area such as the Oak Ridges moraine.

I was reflecting for a few minutes there on some of the other bills that we've had to protect our environment and protect some of our conservation areas. We also think in terms of how, just on Monday, the Honourable Cam Jackson brought in the bill to assist, protect and help our disabled community, our disabled people. That has been very well received by that community. This is a kind of compassionate government that the Harris government is all about. You may ask why. A lot of people see a Conservative government as all about economics. Yes, maybe that's where you start from, but you have to put a house in order before you can really go ahead. You have to put a foundation under it. Without a foundation under a home, there's little point in putting on a fancy door or repairing some of the walls if that foundation isn't there. I guess I see the difference between the left and the right: with the left, they'll spend for the social programs regardless of where it comes from or how it happens. The Conservative philosophy is you spend what you have and you get that sound economic foundation in place before you go ahead just spending money willy-nilly. Sure, some people do that and they go bankrupt, and so do countries on occasion.

But what a turnaround in the province over this last five or six years. Yes, there is a downturn in the economy right now, but we're now in a position to weather it with the cut in the taxes; over \$15 billion a year in increased revenue coming into the province—\$15 billion more, way in excess of \$1,000 for every man, woman and child—that's there for programs. It's almost \$1,500 for every man, woman and child that's available for programs. It's balanced the budget. We are now not spending more than we're taking in. We are spending some \$6 billion a year more in health care, about \$500 for every man, woman and child. Even though the feds started out with a commitment of 50% for health care, where is it now? Down to 14%, and I think that's most unfortunate.

I just wanted to bring to your attention these things that were happening as a basis for the development of Bill 122, the Oak Ridges Moraine Conservation Act. You need to understand that as a basis to see where the government has been coming from in developing sound environmental legislation. I wanted to draw to your

attention the kind of support that the government is getting for it. These are just a few quotes. I expect you're particularly interested, because some of these quotes come right from the official opposition.

This one on the Oak Ridges moraine comes from the member for Eglinton-Lawrence. He said, "I want to thank the minister for taking a brave step that his predecessors refused to do."

Then from the third party, the NDP, the member from Toronto-Danforth said, "I do want to take this opportunity to congratulate the government today. I think it's a very good move.... It is incumbent upon me, on behalf of the NDP caucus, to congratulate the minister and the government." I think that's a really good endorsement, both from the official opposition

as well as from the NDP.

Then I look at some of the other quotes that have come out, such as from the Federation of Ontario Naturalists, the executive director, Jim Faught. In his release he was quoted: "The government has proposed a bold ecosystem-based plan that will see 62% of the moraine off limits to most development and 92% off limits to urban expansion."

As I look further, "STORM"—Save the Oak Ridges Moraine is what that acronym stands for—"applauds the government for moving forward with much-needed legislation for the Oak Ridges moraine." It goes on to say, "The government has shown a commitment to enacting a comprehensive ecosystem-based plan that puts in place strong policies to protect ground and surface water, natural heritage and the rural character of the moraine while directing new growth to settlement areas. We have been looking forward to this day for a long time now."

Mr Speaker, I'm sure you'd be interested in some of the things that came out in some of our newspapers. One, for example, in the *Globe and Mail* on November 5 says of the legislation, "Overdue? Yes. Welcome? Absolutely. Better still, imaginative brokering, swapping moraine land for less sensitive crown land elsewhere, let all sides claim a measure of victory."

Also from the *Globe and Mail*, from John Barber in his article, "When the full effect of this week's work becomes apparent—in 40 or 50 years' time—the Mike Harris memorial greenway will be seen for what it is: priceless." This isn't coming from some of the spin doctors the opposition like to talk about that we develop our sound bytes from, but this is coming right from the *Globe and Mail* saying it's the "Mike Harris memorial greenway." I think that indeed is a real compliment for our government.

Then, of course, from the *Star*, which isn't exactly writing a lot that supports our government, and we recognize that, I think it's interesting what they said on November 2: "Welcome Decision to Protect the Moraine." It went on to say, "Hodgson and his cabinet colleagues deserve credit for listening. Three provincial governments have grappled with this tough issue. Finally this government has acted. This is a huge victory. It pre-

serves the moraine as a continuous green corridor and guarantees that scenic Bond and Philips lakes remain in their natural state." This editorial is concluded by saying, "An important landmark has been saved for future generations."

I have two more quotes. I'm sure you're sitting on the edge of your chair, Mr Speaker, just waiting to hear them. This one is from David Lewis Stein in the Star. He comments on November 2, "Tories Earn Kudos for Moraine Ruling."

"A round of cheers to the Mike Harris government and Municipal Affairs Minister Chris Hodgson." Later in the column it says, "They listened to the people. It's called democracy, and I love it."

In the Toronto Sun, an article by Connie Woodcock, who actually comes from my riding in Port Hope. She's making the comment, "You have to hand it to the Harris government. When they get behind an idea, they carry through." She concludes that the moraine "was like many other issues the Harris government's dealt with—it was just common sense." That's dead on.

As I think of that moraine and think about the calls I was getting into my office, a concern about this pristine water supply—some of that probably is still glacial water that's trapped in some of those aquifers. People get very concerned about their water supply, and that's certainly very understandable.

Just recognizing some of the things that are in this act, the Oak Ridges Moraine Conservation Act would "protect natural and water resource features on the moraine, preserve agricultural land and direct development to approved settlement areas." This statement is pretty important in my area.

1900

First, I notice a press release from the Ontario Federation of Agriculture, which is very, very supportive of this particular piece of legislation. Of course, I can understand why. It recognizes agriculture, and agriculture will continue to operate on that moraine, using common sense approaches, of course, when it comes to the use of pesticides, soil nutrients and conditioners. But also, there will be some approval in settlement areas, and that was of concern in my area.

The warden, Bill Findley, certainly expressed that in the hearings when they were in Cobourg in the middle of September, somewhere around the 15th or 16th. They have responded and acknowledged that, yes, some development in the hamlets and in-filling of lots would be in order but certainly not the subdivision kind of planning. When you get into subdivision planning you have a lot of pavement, some contaminants can get on that pavement, such as dripping oil from cars, and what happens is that sooner or later that ends up in the groundwater, ends up in our aquifers. So anything that occurs on a moraine such as that, the headwaters or where the water ends up filtering into the ground and getting to the aquifers, is particularly important.

Of course, this legislation would require all new Planning Act applications made on or after November 17

of this year to conform to the proposed Oak Ridges moraine plan. That just makes common sense. It fits in with having to coordinate the plans that are already present in municipalities in those areas and they tie in with the proposals in this particular bill. Most municipalities are going to look forward to and agree with that.

Within 18 months the municipalities would be required to amend their official plans and zoning bylaws to conform to the proposed plan. I think that's a more than adequate length of time, some 18 months. Certainly they can get things in order in that length of time.

The proposed plan would be ecologically based and, of course, that's what this is all about: responding to the needs of our environment, responding to the ecology.

It goes on. One of the major things that we're talking about here is the protection of water resources. It would include strong policies to protect water quality and quantity. It would protect headwaters, cold water streams such as those running into Lake Simcoe and all kettle lakes on the moraine.

Of course, if there's any error of direction in some of that planning and protection, it would certainly be on the side of caution, particularly when it comes to managing storm water because of the potential to contaminate the groundwater. I think, Mr Speaker, that you're familiar with some of the advertisements we've been recently hearing from the city of Toronto talking about what's on the streets. Sooner or later what's on those streets ends up in Lake Ontario, and that's where Toronto draws its water from. So it's important that we look after those pavements, and that's what's being stressed in this particular bill.

The plan is going to require innovative storm management practices, of course. Limits would also be placed on the amount of impervious or hard surfaces within watersheds. This is needed to protect the natural hydrological cycle, maintain groundwater recharge and reduce potential flooding and erosion. Certainly the recharge was a big concern this past summer with the extremely dry conditions we had. An awful lot of our shallower aquifers almost became nonexistent. A lot of people, particularly in my area, are very, very concerned about their wells, the lack of water, and had some concern with water-taking permits, even those water-taking permits that were for much, much deeper aquifers. They were certainly very concerned about what was going to happen to their water supply.

This goes on to discuss, for all natural core, natural linkage and countryside areas, that upper- and single-tier municipalities must prepare watershed plans and incorporate those plans into their official plans. These watershed plans would have to include a water budget and a water conservation plan.

In the last point in this particular section, I think it's interesting that it talks about having to include environmental management practices, such as pollution prevention, reduced pesticide use and road salt management. Of course, all these things that might be applied would end up in those aquifers sooner or later.

In the last minute in my presentation this evening, I would certainly compliment our Premier, our cabinet and the Honourable Chris Hodgson for bringing this bill forward. It's certainly a win-win in my riding, particularly the west end of it, about where the Big Apple is along 401. That's about where the Oak Ridges moraine ends—the north of it. Approximately eight miles to the north you come to a touch of the Oak Ridges moraine. Certainly the people in Grafton, Cobourg and Port Hope, who get a lot of their water from that moraine, are very appreciative of this piece of legislation.

I look forward to a speedy passage. It might be nice if it went through as quickly as the bill to put a freeze on the Oak Ridges moraine, but I trust that all parties will support this bill in the end.

**The Acting Speaker (Mr Michael A. Brown):** Questions, comments?

**Mr David Caplan (Don Valley East):** It is a pleasure to rise to remark on the speech of the member for Northumberland. I was also here on April 12, 2000. There was an opposition day motion related to the Oak Ridges moraine. The opposition day motion that day said, "That this House affirms the necessity of protecting the Oak Ridges moraine and the importance of having a planning system in Ontario that protects our drinking water, wildlife habitats and other natural features." It goes on to call on the government to freeze development on the Oak Ridges moraine.

On that day the member who just spoke, the member for Northumberland, said, "I find it rather irritating to have a member from downtown Toronto coming out to tell us in rural Ontario how to run things. We've had Toronto solutions for so long, trying to handle and look after rural Ontario. I think it's just about time that maybe they started looking after some of their own things in Toronto rather than attacking rural Ontario all the time." The member proceeded to vote against that resolution, as did all government members for that matter, on April 12, 2000. That is the record of Hansard in this House. It is astounding that somehow now, on the road to Damascus, members of the government have found religion. Hallelujah. It's amazing.

I have one other comment. The member talked about Lands for Life. It's very interesting that, at the time, the announcement was hailed in many quarters. Of course, after the election in June 1999—the member doesn't like to talk about this—the ministry allowed mining in those parts. They allowed aggregate mining in the Mellon Lake Conservation Reserve. They permit hunting in existing wilderness parks—in Killarney Provincial Park. They have rejigged the boundaries in environmentally sensitive areas like Kawshe Lake conservation area.

So come on. No more shams, no more double-talk. That's enough.

**Mr Tony Martin (Sault Ste Marie):** I must support my colleague from Toronto-Danforth in her comments congratulating the government on this move. It certainly came as quite a surprise to all of us that they would do this. I think it's a progressive move, and that needs to be

said. However, as with anything else, I don't think we can just pass it without some comment, some critique, some looking at the overall purpose and swath of this bill. It does require one to take a great deal on faith. On the other hand, it would be hard for the government to risk the wrath of its 905 voters by going back on the promises it made last week, which are for the most part carried through in the draft plan.

One important question on this, though, is whether the government is giving the developers more than they are legally entitled to, and is the government, in turning over land in the Pickering area, solving one problem while perhaps creating another? I don't know, because I'm not personally aware of the uses right now of the land they're targeting in Pickering. But I do know that in southern Ontario there is a concern about prime farmland, that we should be protecting it. I would hope this isn't opening the gate for the government simply to let her rip. They've done this very valuable and important progressive piece of work where this area is concerned, but it should not give them carte blanche to simply turn their back on other environmentally sensitive areas and farmland in the province.

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**Mr Ted Chudleigh (Halton):** I'd like to commend the speaker from Northumberland for his eloquent remarks on what is going to be a very significant piece of legislation in Ontario's annals. Protecting a large piece of Ontario, as we're doing with the Oak Ridges moraine act, is a heroic and wonderful thing to do.

It was only a short while ago—and I've been having a small debate with the member from the official opposition as to what happened on April 12. As my memory serves, I stood up and supported a motion that would have protected the Oak Ridges moraine, and I think I was one of only two members of my party who voted that way on that day, the other being Mr Gilchrist, who was sitting back there at that time and has since moved around a lot in the House. I believe he is sitting over here now. After that vote, I recall being called on the carpet and asked why I did such a thing as to vote in a manner that didn't support government policy.

I want to say that I'm extremely pleased this evening and extremely pleased in this session that my party has now brought in this piece of legislation, which is going to protect a vital part of Ontario so that my grandchildren and the children of our future generations can be assured that the kinds of ecological values that are in the Oak Ridges moraine—as are on the Niagara Escarpment and as are in many of the lands we have protected under Lands for Life—are going to be protected for future generations. I think that's an extremely important thing a government can do for the people of Ontario that will be significant in the years to come, and I'm proud to be part of a party that can not only make those contributions, but can change its direction when necessary.

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** I'd like to thank Doug Galt too. Doug is, of course, a member of our caucus who under-

stands our rural-urban issues very well, because he represents a rural area. People in that area have a conflict between wanting good planning but also wanting the right to develop and use their land in any way they wish or desire. Resolving that conflict is a very difficult and tricky thing for politicians to do, particularly at the provincial level.

We heard from Mr Caplan, the member for—it used to be Oriole. He talked to this Legislature about the resolution that the Liberals brought to this Legislature some time ago. But we've heard lots of resolutions by the Liberals, all about motherhood: "We love the moraine. We want to preserve this. We want to do that. We want to write cheques to solve our school problems." They want to do all these kinds of things, but no fiscal responsibility, no plan put forward on how you do these things. Everybody has the same goal: they want to preserve the moraine. The genius of the Mike Harris government is that we can put together the plan, the legislation that will work and in fact protect the moraine. That's why our government should be very proud of this. If, God forbid, the opposition ever got into the position of being the government, I can't believe they could (1) put together a plan that would work and (2) do it within a reasonable period of time, like six months, as we have, to save the moraine. Thank God for Chris Hodgson and Mike Harris and their support for the moraine.

**The Acting Speaker:** Response?

**Mr Galt:** I was particularly moved by the comments of the member for Halton and the member for Lanark-Carleton. I was a little disappointed in the members from Don Valley East and Sault Ste Marie, who have not seen it quite the same way—maybe I did get converted on the road to Damascus. I'm not sure. However, I believe that the member from Lanark-Carleton explained reasonably well one of the reasons why we don't stand up en masse and support some of the opposition days. Generally those resolutions are written such that it doesn't matter how you vote, you're in trouble. It's kind of interesting, the way they are posed. I haven't gone back to look at this particular one, but it's such a tradition that you get so you don't even pay attention to it just because of the games they like to play. I can understand why I probably did vote against it at that time.

My compliments to the member from Halton and also the member for Scarborough East in maybe standing up and supporting what might have been an opposition day motion to protect the Oak Ridges moraine. If that was a straightforward motion at that time on opposition day, I compliment the opposition for bringing it forward. But so often it isn't straightforward. It has a few twists in it and curves so that it just doesn't matter how you go about it, it doesn't matter what you say, it's going to be wrong. Some people would talk about this as a wedge issue. They went on to talk about, and the member from Don Valley East also talked about, Lands for Life being a sham. There's more to conservation on a given piece of land than just one particular item or another. Do some of those things happen there? Yes. But at least it's owned by

government and it's going to be looked after by government in the future.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I am most pleased to have this opportunity to speak on Bill 122, the Oak Ridges Moraine Conservation Act, 2001. Over the past year I have watched my Liberal colleague Mike Colle, the member for Eglinton-Lawrence, work endlessly trying to save the Oak Ridges moraine. I also feel that your government was forced to bring in this legislation, which we appreciate because of the Vaughan-King-Aurora by-election. This by-election, by the way, was not won by Mike Harris, who I noticed was your candidate in Vaughan-King-Aurora; it was won by the Liberal candidate, and now member of this Legislature, Greg Sorbara. The real winners in all of this are the people who fought so hard to save and not pave the Oak Ridges moraine.

I commend the government for finally listening to the people and taking this step forward to protect our environment. The Liberals would like to see a few amendments to the bill that we feel will result in even better protection for the moraine. When I think of the Oak Ridges moraine, I see many similarities to the Alfred Bog in my riding. In the case of the Alfred Bog, the united counties of Prescott and Russell as well as many environmental groups have been trying to get this government to listen to their concerns. On June 14, 2001, I presented a bill in this Legislature to permit municipal regulation of peat disturbance and extraction in order to assist the united counties in saving the bog. Extraction in that bog is going as deep as 16 feet, and we advised the government on many occasions. I spoke to the minister. He was briefed twice on this. I invited him to come down and we would have a helicopter just to fly over this bog so he could see what is happening. The Alfred Bog is the largest example of a raised or domed bog at this latitude on the face of this planet. Can you imagine something as unique as this, and this government has not taken any action on my bill or replied to the request of the united counties of Prescott and Russell for assistance.

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Another fact about the Alfred Bog that this government may not be aware of is that it is by far the largest peat bog in eastern Ontario and is considered more important than the Mer Bleue bog in the city of Ottawa, which is a Ramsar wetland. Ramsar is the designation given to wetlands that are of world importance, and the Alfred Bog is being considered for Ramsar designation. Imagine that.

You can see why I am so interested in this legislation for the Oak Ridges moraine. There are so many similarities. The government is not listening. Nothing is being done.

The original size of the Alfred Bog was more than 35,000 acres. It is now less than 10,000 acres and shrinking. The bog, although not being paved like the Oak Ridges moraine, is being reduced by agriculture and peat extraction on a daily basis. If you were to go around, you would see trucks coming out of there every 15 or 20

minutes. That peat moss is being sold all over the world. This is why they don't want to get rid of it.

At the present time all we have asked this government for—and I'm so pleased to see that we are committed to investing \$15 million in cash for the Oak Ridges moraine—for the Alfred Bog is \$2.5 million. The federal government has committed to paying their share toward saving the Alfred Bog.

We must ensure that the Alfred Bog as well as the Oak Ridges moraine are protected. I am going to ask Mike Colle and Greg Sorbara to join the united counties of Prescott and Russell and the local environmental groups to ask this government to help save, and stop the peat extraction from, this great environmental jewel.

The Alfred Bog, like the Oak Ridges moraine, is a crucial component of the groundwater system, retaining and filtering tremendous amounts of water. It ensures clean drinking water. Remember Walkerton? If this case, like what we experienced with Walkerton, happens to be coming down in the area of Fournier, Alfred, the Champlain township or the L'Orignal area, the government would be stuck with the invoice afterwards.

The area adjacent to the existing bog used to be a peat bog. It was destroyed and now these lands are in the flood plain, where they flood annually. The Alfred Bog needs your help the same as the Oak Ridges moraine needed your help. The Alfred Bog needs your help to protect the environment and it needs your help financially to guarantee its survival.

The remaining available private land within the Alfred Bog must be in public ownership. As you have proposed land swap deals in the Oak Ridges moraine to ensure its protection, I ask that you consider reviewing Bill 83, which I brought in on June 14 at the request of the united counties of Prescott and Russell to help save the Alfred Bog. This wetland is of world importance and must be saved.

To go back to the moraine, the moraine is actually a 160-kilometre-long ribbon of sand, silt, gravel and rock dumped by a retreating icefield 15,000 years ago. This porous material absorbs rain and snow like a giant sponge. It stretches through three regions, Peel, York and Durham, from Orangeville in the west across roughly 20 kilometres east to Rice Lake, just south of Peterborough. It is environmentally important because it plays a major role in southern Ontario's surface and groundwater supply. It has been called the rain barrel of southern Ontario. It is the last large green space left in the GTA.

Once again, I will definitely support this bill but I hope this government, which has said—I don't know, but besides the \$15 million that the government will spend, I'm told there would be something like \$80 million set aside to make sure we save this piece of land, the Oak Ridges moraine.

Tous les membres de cette Assemblée législative ont reçu une carte par le courrier. Plusieurs membres m'ont retourné cette carte. Sur le devant de la carte est écrit « Alfred Bog », et nous avons aussi un historique de ce terrain. J'espère que tous les membres de cette

Assemblée législative, qui est formée par 103 membres élus, ont lu cette carte et ont considéré l'importance de ce marécage qu'on pourrait appeler, qui est surnommé, le Alfred Bog. Si nous sommes capables de nous arrêter après avoir eu des pressions de tous les gens et surtout par mon collègue Mike Colle de la circonscription d'Eglinton-Lawrence, je crois que le gouvernement devrait prendre le temps nécessaire, et surtout le ministre des Richesses naturelles, d'aller survoler la région et regarder avec attention la région du Alfred Bog. Je disais tout à l'heure que cela comptait au-delà de 35 000 acres. Aujourd'hui, nous sommes rendus à environ 10 000 acres. Plus nous attendons, plus nous allons avoir l'extraction de ce matériel qui va jusqu'à une profondeur de 16 pieds.

Donc, actuellement, pour les gens de la région, nous sommes très, très concernés. Nous sommes concernés parce que ce marécage est nécessaire pour la filtration de notre eau potable, et ça conserve la région. On doit conserver les animaux sauvages et surtout les différentes plantes que nous avons dans la région. Comme je l'ai mentionné en anglais, c'est le marécage le plus important de cette planète en entier.

Donc, c'est encore une fois une raison pour laquelle je dis au gouvernement que oui, je vais appuyer le projet de loi 122; oui, je crois que le gouvernement devrait prendre le plan nécessaire et se rendre dans la région de l'est ontarien. Vous savez, l'Ontario ne s'arrête pas à Ottawa. Après Ottawa, on a encore 125 kilomètres avant de se rendre à la frontière du Québec.

Donc, je crois que c'est encore très important que nous, les élus au niveau provincial, prenions en considération l'importance de la conservation de marécages comme celui que nous sommes en train d'appuyer, qui est le marécage Oak Ridges moraine dans la région du Grand Toronto.

**The Acting Speaker:** Questions, comments?

**Hon Mr Sterling:** Of course, the Alfred Bog and this particular part of the province is familiar to me because I represent a part of eastern Ontario. I want to say to the member opposite that I'm very pleased that he raises the issue. I'm pleased that he has stated his position, that he wants to freeze development on the Alfred Bog. I'm also interested in getting from him, and I wish he would share with me perhaps, the commitment by the federal government to put money toward the Alfred Bog. I'd like to see that in writing, quite frankly.

This government, in terms of the Oak Ridges moraine, has now put forward about \$70 million in money and in land toward the preservation of the Oak Ridges moraine. We're hoping that the federal government is going to come forward with its equal share for the preservation of this very important source of water and beautiful part of our province. We have noted in the past that while the federal government talks a big storm. They've been talking for the last two years about a transportation infrastructure, and when the province came forward with a \$3-billion plan for transportation for this province and said to the federal government, "You've been talking all

this time. Put your money where your mouth is," we haven't heard a peep from Ottawa since that day.

I respect the member Jean-Marc Lalonde very much, and I'm glad he has placed his positioning on this issue clearly, that he wants to limit development on the Alfred Bog, but I want to see from him the commitment from the federal government, the fact that they're going to write a big cheque to preserve this part of our province. I'd really like to see that commitment.

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**Mr Caplan:** I certainly want to congratulate the member from Glengarry-Prescott-Russell for his comments. I thought he presented them very well and talked about an ecologically sensitive area in his riding. This is not new ground for Liberals. It may be very new for the Progressive Conservative government, for the Mike Harris government, for the former Minister of the Environment.

I wanted to bring to the attention of the House an exchange that happened about a year and a half ago between Dalton McGuinty, our leader, and the then Minister of Municipal Affairs and Housing, Tony Clement. Mr McGuinty asked Mr Clement, on May 8, 2000, a very lengthy question but it goes, "What we want to ask you then is, given your new-found commitment to the moraine, when exactly will you introduce a bill providing comprehensive protection to the Oak Ridges moraine? And when exactly will you put into place a freeze on all development pending passage of that same legislation?" Minister Clement said at the time, "I think the position of this government is that in a province of prosperity and in a province where growth and opportunity are happening, we should always seek to balance properly the interests of present and future generations." He went on to say, "Our position has been clear. We have a Planning Act. We also have a provincial policy.... We also have the 1991 guidelines that are specific to the moraine that were instituted by the previous NDP government. All of that is on the table." So what Minister Clement said is, "We've done everything. We've done enough."

Well, the real answer is that one man—and that's Mike Colle, the member from Eglinton-Lawrence—almost single-handedly forced this government to do the right thing—finally—which is to put a freeze on development on the Oak Ridges moraine. So I say, kudos to Mike Colle. Thank you, Mr Colle, for all your tireless work and effort. Finally the government is taking your very sage advice.

**Mr Martin:** I want to again go on the record on behalf of our caucus to say that this is a very important step toward protecting our water as well as public open space and wildlife habitat. It certainly is a progressive move, and we thank the government for it and we appreciate it. I think it's important, when something is done by whomever, and particularly in this instance the government, that we give credit where it's due and we offer our appreciation. Although I would suggest that the Liberals are being a bit over the top in terms of the contribution that their caucus and Mr Colle have made.

He certainly did. There's no doubt that he was out there as champion to this and promoting and pushing and encouraging.

But we had a member in our caucus too, Marilyn Churley, who has become known across this province as a champion for the environment, always there, always ready to speak out, always working in partnership with those of whatever political stripe or from whatever organization to support progressive and forward-looking initiatives to protect our environment. She knows, as we do here, that without an environment that supports life, without an understanding of how the ecosystem works, without understanding the role that water plays in all of our lives, and air—and the need to do everything possible to make sure that any development we enter into is sustainable, that we protect that environment, and certainly Marilyn Churley has been a big champion of that and in this instance probably contributed as well with her challenge and push.

We have some concerns, and we'll be putting them on the record over the next few days as we debate this issue. It's not all peaches and cream or positive; there are some things that I think people out there need to be aware of.

**The Acting Speaker:** Response. The member for Glengarry-Prescott-Russell.

**Mr Lalonde:** I really appreciate the comment made by the Minister of Consumer and Business Services. Let me say that the member for Lanark-Carleton, who is a former Minister of the Environment, surely knows the area of eastern Ontario, because he's one of the longest-serving members of this House. But I'm taking his word at the present time, because it was confirmed this afternoon that the federal government at the present time is ready to give us a letter saying that they would pour in \$510,000 at the moment, and if the provincial government is ready to put in more money, they will match whatever this government is going to give to the united counties of Prescott and Russell. But I will definitely come up with the letter that I will be giving to the minister and also to the MNR minister in a very short while, which will now be in two weeks, confirming the commitment of the federal government.

It's the greatest news that I ever heard tonight here, that this government will be ready to share in preventing the development of or extraction in the Alfred Bog. Once again, when we talk about the Oak Ridges moraine, it's just to show he understands the importance of saving that area, but again, the Alfred Bog is one of the most important areas on this planet, and when he looks at it—and I'm sure he has seen it before—he knows what I am talking about.

**The Acting Speaker:** Further debate?

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** It certainly is a pleasure for me to rise in the House tonight to speak on Bill 122, which is An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan.

It's interesting to see that the member for Don Valley East seems to think that the member for Eglinton-

Lawrence single-handedly forced this government to go this route, to introduce the particular bill. It's also interesting to see the member for Glengarry-Prescott-Russell talk about the \$510,000 that the federal government is willing to put into the project at the Alfred Bog. It will be interesting to see how much money the federal government will be willing to put into the program or into the project concerning the Oak Ridges moraine.

Let me tell you, Mr Speaker, that this government acts after previous governments only did the talking. Why do I say that? I say that because this government has taken decisive, very clear, very forceful action to conserve the Oak Ridges moraine.

Because there has been some discussion as to some of the resolutions that have been brought forward in the House in the past, I'd like to go back, and maybe we'll have a little history here, to see what occurred between 1985 and 1990, when we had a Liberal government in power. Between the mid-1980s and 1990 the government of the day created the Office for the Greater Toronto Area and the Greater Toronto Coordinating Committee to look at issues related to growth in the GTA. I would imagine that probably the Oak Ridges moraine would fall in the GTA area. They also undertook work related to greenlands, including the Niagara Escarpment, the Lake Ontario waterfront, river valleys and the Oak Ridges moraine. That was between 1985 and 1990.

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The government at the time established a Royal Commission on the Future of the Toronto Waterfront. It commissioned and released the GTA Urban Structure Concepts Study, including a background report on greening and the environment. In the meantime, I must point out that development was still occurring.

In July of 1990, they released *Space for All: Options for a Greater Toronto Greenlands Strategy*, better known as the Kanter report. Mr Ron Kanter identified the provincial significance of the Oak Ridges moraine and noted that it was the only one of the four greenlands that did not have, but should have, a management framework. The government of the day then announced a provincial expression of interest in the Oak Ridges moraine, which had no legislative status. They also announced their intention to begin a two-year study of the moraine.

Guess what happened to the study? I know the member for Don Valley East talks about the member for Eglinton-Lawrence forcing the government, but the member for Don Valley East was not in government between 1985 and 1990. But some of the members who are in the opposition today were there, and I would ask on the other side of the House as to where their concern with regard to the Oak Ridges moraine was at that time.

Let's go back a little further, between October 1990 and June of 1995. I'm glad to see that the member for Sault Ste Marie speaks favourably of the bill. But during the term that his government was in power, between 1990 and 1995, in June of 1991, the NDP government of the day released the Oak Ridges Moraine Implementation Guidelines. They outlined ecological and land use

matters to be considered in proposals on the Oak Ridges moraine. The guidelines were intended as a temporary measure until an Oak Ridges moraine strategy could be developed, and I stress the word "temporary."

In May of 1994, a draft Oak Ridges moraine strategy was released for comment. A final strategy was presented to the Minister of Natural Resources in December of 1994, but the government put it on the shelf.

In March of 1995, the government of the day put a new planning system into place. Let's remember that they had already commissioned a report in May 1994. A comprehensive set of policy statements was developed as part of the new system. They included enhanced and new policies on environmental, ecological and natural resource interests, but no explicit Oak Ridges moraine policies were included.

By the spring of 1995, after two successive governments had talked for nearly a decade about the importance of the moraine, development applications on the moraine continued to be approved, and I would strongly suggest that a lot of development occurred during those 10 years. The only tool available to planners was the 1991 implementation guidelines, which were supposed to be a temporary, stop-gap measure.

What did this government do? This government was elected in 1995. During the late 1990s, our government moved quickly to reform the planning system to put authority for local decision-making into the hands of local municipal decision-makers. Ontario Municipal Board hearings on applications in Richmond Hill helped to explore and clarify planning issues related to development decisions on the Oak Ridges moraine and to narrow the points of dispute and disagreement.

It became clear that the best way to deal with moraine issues and to avoid a repetition of long and expensive Ontario Municipal Board hearings in the future was to deal with the whole moraine at one time.

**Mr Caplan:** On a point of order, Mr Speaker: I seek unanimous consent that for the balance of the week third party questions during question period be reallocated to the government and the official opposition.

**The Acting Speaker:** Agreed? No. I heard a no.

**Mr Beaubien:** At the same time, Minister Hodgson began discussions on Ontario's Smart Growth strategy. Preliminary discussions made it clear that only a comprehensive approach to the Oak Ridges moraine would produce a result that would stand the test of time. In May 2001, the government moved decisively to place a moratorium on planning applications on the moraine and to seek a consensus on a solution, and finally to introduce the legislation we are debating today.

Now, I would like to refer to section 4 in the bill. Section 4 talks about objectives of the plan: "The objectives of the Oak Ridges moraine conservation plan are,

"(a) protecting the ecological and hydrological integrity of the Oak Ridges moraine area;

"(b) ensuring that only land and resource uses that maintain, improve or restore the ecological and hydro-

logical functions of the Oak Ridges moraine area are permitted;

“(c) maintaining, improving and restoring all the elements that contribute to the ecological and hydrological functions of the Oak Ridges moraine area, including the quality and quantity of its water and its other resources;

“(d) ensuring that the Oak Ridges moraine area is maintained as a continuous natural landform and environment for the benefit of present and future generations;

“(e) providing for land and resource uses and development that are compatible with the other objectives of the plan;

“(f) providing for continued development within existing urban settlement areas and recognizing existing rural settlements;

“(g) providing for a continuous recreational trail through the Oak Ridges moraine area that is accessible to all including persons with disabilities;

“(h) providing for other public recreational access to the Oak Ridges moraine area; and

“(i) any other prescribed objectives.”

What did our government do after the objectives were introduced into the bill? There's no doubt that one of the reasons why I think there is somewhat of a consensus in this House with regard to this particular bill is that many of the stakeholders were at the table when this situation was discussed, prior to the bill being introduced. Once all the interested parties are at the table, usually you can find some reasonable solution. There's no doubt, as I pointed out, that we're looking at providing benefits to future generations but also to the people who are living in the area today. Let me relate some of the plans that have been undertaken in my area in Lambton-Kent-Middlesex in southwestern Ontario.

One of the projects that I would like to speak briefly about is the Grand Bend trail, which takes you from Grand Bend to the Pinery park. The Pinery park is a provincial park—

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** A fabulous provincial park.

**Mr Beaubien:** A fabulous provincial park; I totally agree. Basically, the people who live in that area realized that there was merit, not only recreational but financial gain, in having this trail between the Pinery park and Grand Bend. Did they rely on government funding to do it all? There was government funding, but there's no doubt that the Rotary Club of Grand Bend took the project, ran with the project, got people involved, and a couple of years later, guess what? They had a trail which is about 15 kilometres long that people can enjoy today.

Some people in the St Clair Parkway area also did the same thing in the past couple of years, and they have a trail now that leads from Corunna in Sarnia-Lambton all the way down to Sarnia. Again, there's no doubt that there is government participation, but the reason the project is successful is because the local people took a stake, took an interest, and made this project work.

Now, I would like to point out that if this legislation is passed, the government will establish a trail that stretches from one end of the moraine to the other. Again, it will be interesting to see how much money the federal government is willing to invest in this project. This trail would be designed to maintain the moraine's ecological and hydrological integrity. The trail would span the entire 160 kilometres that the moraine covers, from the Trent River in the east to the Niagara Escarpment in the west. I would strongly suggest that for the people who live in this area it's probably going to be a boost to their tourism industry, because I'm sure by having a trail of this magnitude it certainly will help with tourism. It's also probably going to help with people's health, because there are going to be walking trails and hopefully bike trails and whatever else the stakeholders see fit to—

**Interjection:** Good healthy stuff.

**1950**

**Mr Beaubien:** Exactly. This trail would also link to river valleys running north and south from the moraine. The trail would give people continuous access across the moraine, and it would be accessible to people with disabilities. Since Minister Jackson just introduced the Ontarians with Disabilities Act this week, I think it's very apropos that we recognize the fact that people with disabilities should also be able to use this type of facility, and I'm glad to see that this facility will be designed keeping in mind people with disabilities. This particular trail would be located as much as possible in the moraine's natural core and natural linkage areas. People would be able to use the trail for hiking, horseback riding, cross-country skiing and other uses that don't involve motorized vehicles.

To support the trail, we would create the Oak Ridges Moraine Foundation, which would be a non-profit organization. The foundation would be an arm's-length partnership body. Its role could include—and I stress the word “could”—advising the government on a fair and transparent process for land evaluation; funding land securement and conservation easements among willing sellers and buyers to protect high-priority sites; paying for the construction of bridges, interpretive centres and other necessary facilities; funding stewardship programs to encourage landowners to improve water quantity and quality, improve forest cover and enhance buffers for wetlands, rivers, streams and kettle lakes; paying for research, monitoring and public education.

Again, as the member from Huron pointed out, the Pinery Provincial Park is an excellent provincial park, and there is public education. There is a centre people can use, free of charge, to learn about nature, to learn about the environment, and I'm sure this could be duplicated here. Funding for the foundation would come from various sources, including the public and the private sector. This government has committed \$15 million in cash as seed money, plus a substantial land donation.

I think many people commented this past week that this government is able to make the tough decisions, is able to make the right decisions and is not afraid to make

the decisions. For the member from Don Valley to suggest that the member for Eglinton-Lawrence single-handedly forced this government to act on this particular bill, especially when we look at what happened between 1980 and 1990, I would certainly question that.

**The Acting Speaker:** Questions or comments?

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm a relatively new member to this chamber, as members of the House know. I like to fall back on that once in a while. If it wasn't for that speed-reading course I took at university so I could catch up on a lot of the history, I'd really be out of the loop on a lot of this stuff. I want to thank the member for Lambton-Kent-Middlesex for outlining some of the history for us. In his own words, he convinced me of something that I was believing but was in need of more convincing on. That namely is that there were people from all parts of Ontario and all parties who have had a long-time interest in this issue and in doing the seemingly right thing.

It's distressing sometimes in this House to sit and listen to people. It's almost like you're waiting for someone to say, "Gosh, golly, gee, together we did something that nobody thought we'd ever get done." I don't much care if there are some people on that side of the House who want to take the credit, or Ms Churley or Mr Colle. I just want to say for the record that anybody who stood up for doing the right thing here should receive our applause and our praise. I think the good member for Lambton-Kent-Middlesex went some great distance in outlining that to us.

I guess the other comment I would make just quickly is with respect to the federal government involvement—and I was pleased that my colleague made reference to that. I know the minister from Lanark-Carleton was out; he was probably calling the Prime Minister to compliment him on the good news about the announcement. I'm pleased to hear that.

**Mr Martin:** First of all, I want to go on the record again as saying we think this is a progressive move and a step forward. But I'm having a hard time tonight understanding why the government can't just take that at its face. They continually go back and attempt to drag up reasons why nobody but them can take any credit whatsoever for the move they've made where this Oak Ridges moraine development is concerned.

I think it's a progressive move, but we have some concerns. Our concerns evolve around the trade-offs that happened because of that that initiative. With this government, there are always trade-offs. What presents initially, upfront and right away as the trade-off isn't always the real, behind-the-scenes horse-trading that's going on. We're not quite sure yet exactly how this parcel of land in Pickering that's going to be given in return for the developers' leaving the moraine is going to pan out. If I'm not wrong, there are already some voices being raised in that area of the province that some of the land being given away is being given away below its value and that the stake which others have in that isn't being recognized.

As I said earlier, I am also very fearful that now that this government has done the right thing on the Oak Ridges moraine, it's going to just turn its back on a whole lot of the very valuable farmland that's out there, which it needs to protect, in its rush to appease and pay off its developer friends.

**Mr Jerry J. Ouellette (Oshawa):** I will be addressing the issue of trails, because it's something of strong concern to me. But in regard to the comments by the member for Sault Ste Marie on backroom deals and things like that, I know the piece of land—the Seaton area—very well, and there is a lot of potential there. The 407 currently goes through these provincial lands, which were taken over a number of years ago when a federal airport was to go in there. I know the residents in that area—through the Brougham area—and I don't think there's going to be a lot of opposition. Yes, there may be some individuals who are concerned about the change, but I think it's going to be for the best.

As well, when you talk about the people and the dedication toward this, I know Mr Gilchrist was probably one of the frontrunners within our caucus, and Mr Chudleigh did stand with the opposition to express his concern. There were others of us as well who happened not to be here for the vote on that day. In another way of showing our concern for that area—sometimes it's difficult to vote against the government and show your concern. But I'm glad that Minister Hodgson has finally come forward with the Oak Ridges plan as such.

In the time remaining, I want to mention the trails. I know the area very well. As a Boy Scout I've done night hikes and winter hikes through that area. The 10th Concession is an area of popular choice, whether for snowmobiling or four-wheeling or snowshoeing or cross-country skiing. It has a huge trail that goes through there now. As well, I've also fished Shelter Valley Creek, right up into that area as well.

*Interjection.*

**2000**

**Mr Ouellette:** Yes, in Mr Galt's riding. So I know the area through the Ganaraska very well, and I think the trail is going to be a significant component of that. I hope it's going to be a multi-use trail, so that all those who are currently using the trail will be able to access and use it on a regular basis, but I think time will tell. I know my kids enjoy it, and I look forward to future years for future generations.

**Mr Lalonde:** I always appreciate the comments of the member for Lambton-Kent-Middlesex. I always wonder if this guy is sitting on the right side of the House, because he tends to be more to the centre than to the right. His thinking is more to the Liberal side, and that is why I say I always appreciate his comments.

He mentioned in his speech that I should be asking the federal government if they would commit financial assistance to the Oak Ridges moraine. At the present time, your government has committed \$15 million to the Oak Ridges moraine. All I'd be asking for, for the Alfred Bog, is one fifteenth of that amount, which is only

\$1 million, and we'd be really satisfied. The Alfred Bog is unique. There's no other bog like it in the whole world, so I'm not asking too much. If you agree to it, we could buy the 3,000 acres of land we need to preserve at \$750 an acre. Everybody in the province of Ontario, in Canada and in the world would be very pleased with the commitment of this government.

Also, Pierre Mercier, who is the official planner for Prescott and Russell wrote to me this afternoon and said, "Jean-Marc, you have to ask the minister to come down and take a look at it."

Once again, I appreciate the comments by the member for Lambton-Kent-Middlesex.

**The Acting Speaker:** Response?

**Mr Beaubien:** I'd like to thank the members for Ancaster-Dundas-Flamborough-Aldershot, Sault Ste Marie, Oshawa and Glengarry-Prescott-Russell for their comments. It's kind of nice to see that the debate is very friendly. Some changes have been mentioned, and people may have some concerns, but overall I think people are very supportive of the bill. I appreciated the fair comments the member for Ancaster-Dundas-Flamborough-Aldershot made with regard to the debate in the House tonight.

It doesn't surprise me to hear that the member for Sault Ste Marie is concerned about some of the trade-offs and the backroom deals. When you arrive at a solution to any problem, there are always trade-offs. I think reasonable people usually come up with reasonable solutions, but I guess some people always have doubts. I guess that is something they have to deal with themselves. But I firmly believe that reasonable people will come up with reasonable solutions.

With regard to the trails, I may not be as physically active as I used to be, but I certainly agree with the member for Oshawa with regard to the trails and the multi-use of them. I look at the trail at the Pinery. Over the years it's been used for cross-country skiing. Even though we don't have an awful lot of snow, it's always enjoyable to put on your skis and use it.

With regard to the comments of the member for Glengarry-Prescott-Russell as to whether I'm on the right or the left, I'd like to inform him that when I play hockey I shoot left, when I throw a ball I throw right and when I hit the ball I bat left. So if you're confused, so am I.

**The Acting Speaker:** Further debate?

**Mr McMeekin:** I'm pleased to rise and speak on Bill 122. I just want to repeat for what it's worth that I don't want to take any unwarranted credit for having contributed in any significant way to this, other than to say that as a member of this assembly I try to keep as informed as I can on issues and try to trace whatever history there is on an issue. And this issue, like so many others, has a very long history. I suppose it would be helpful for the viewers out there to perhaps treat with some concern the comments from various members who want to claim exclusive credit for something on which we should all be joining hands together in celebrating. It's clearly a win-win for so many people.

I can relate a similar kind of sense about the Adams mine. I didn't know the Adams mine from the Timmins train until I arrived at this place and heard the arguments. Having been forged in the fire of that debate, I know waste is an issue that is bigger and more difficult for municipalities to handle than they would often care to admit. I noticed as well when we had that debate that there was all kinds of finger pointing, from all sides of the House, but not necessarily a lot of pointing of direction.

I want to compliment everybody who's had anything to do with the good parts of this. That having been said, I'm not here necessarily to be the government's cheerleader. There are some concerns I intend to raise. That's part of what legitimate debate in this people's House is all about. I will move to that momentarily.

I want to add that in my hometown, formerly the great town of Flamborough, we're very concerned about environmental issues. We know a lot about drumlins and moraines and wetlands. Some of my good friends who, along with some of us, founded a new Ducks Unlimited group in our area tell me that in fact some 93% of all the wetlands in Ontario have disappeared over the last 50 years. That's really tragic because wetlands provide such important habitat for so many endangered species. I think we want to put on the record here that while we may well have inherited our environment from our forefathers, we've only borrowed it from our kids, and we need to take steps to make sure that the diversity not only of our society but of our ecosystems is maintained, and that we're intentional about that.

Over the last few days of doing some research, I've learned an awful lot about the moraine. I was at the technical briefing the other day, which I found very useful. By the way, I recommend that to any member of the House who actually wants to get some information about what's happening. The technical briefings are very extensive.

It was helpful for me to have it confirmed that the area in question extends from Rice Lake all the way to the Caledon area, where my wife is from, so she has a particular fondness for that area. It is water source for some 35 rivers and streams, such as the Don River, the Humber River, the Rouge, the Holland River, Duffins Creek and Carruthers Creek, and as I mentioned earlier, shelter and habitat for many of our animal species, some of which are on the verge of extinction.

It's been a long and winding road to get to this place—the member for Lambton-Kent-Middlesex traced the history only from 1991 on—and some have even spoken about the road being the road to Damascus. Well, I've travelled the Damascus road. Not by camel; it's too dangerous to do by camel. I took a taxi. I was at the house of Ananias. As you Biblical scholars may recall, that's where St Paul was touched and had his sight restored. He then went on to do a number of community development projects around the world, as my good friend Tony knows. We make reference to that.

If there's a road to Damascus in this context, I guess the road went through the King City area and involved a lot of those brave people from King City who went out of their way to articulate concerns. They took some of the assurances, and I won't mention any names, from some members of this House that municipalities had all the tools they needed to do the job, acknowledged them for what they were, largely hammers and screwdrivers, and went on to fight the good fight. Fighting the good fight meant doing a lot of consciousness raising about this issue. There were members on the other side of the House who had a fair bit to do with that, and I know my colleague Mike Colle had a fair bit to do with that, and we want to acknowledge that.

2010

Whatever the circumstances, there's never a wrong time to do the right thing. Some members opposite talked about stakeholders coming together. What an affirmation. I remember the late Margaret Mead once suggested to never be put off thinking that a small group of people can't change the world, for history will record that they're the only folk who ever have changed the world. I think Dr Mead was saying something pretty important to stakeholders on any issue. If you've got something you really believe in, you stick with it with a passion. Who knows? There may come a day when you've actually got a consensus in this people's place about something that's good and right to do. I want to footnote that circumstances, be it massive public or even political pressure, or even from time to time some debate in this illustrious assembly, can touch people's hearts and minds and move them to new positions.

It appears that this legislation was forged in a lot of different fires, and to a certain extent it has given some who hold the political process in very low esteem, for those who hold nothing sacred, perhaps something to believe in. This seemingly new coalition of enlightenment that has conspired somehow to come together to bring these circumstances is really good to see, particularly when we know there's been, at least en passant, some checkered history here, with letters from certain ministers going to regional chair people, rejecting calls for a freeze.

I think it was Minister Clement who said on November 25, not that long ago, that there simply wasn't going to be a freeze, and other ministers, particularly ministers of municipal affairs, have claimed that municipalities really have all the tools they need to get the job done. Clearly that wasn't the case; otherwise we wouldn't be here today with this legislation.

Like the member opposite who spoke about trails, I want to say how important that is, as one whose former municipality is intentionally riddled with trails because of our concern for leaving that legacy. It's good to see that has happened.

I want to talk a bit about some of the good things I see in this piece of legislation. All partisan politics aside, it appears to be fairly comprehensive. It's clearly broadly reflective of stakeholder concerns. There appear to be

some efforts to be fair, particularly with respect to some of those who have property rights, although time will tell as to just how that shakes down. We have a history in this province, through the Ontario Realty Corp, of not always seeing the right thing done. I just want to footnote that concern and really urge the government to be particularly careful in the weeks ahead, so that we don't get into any of the ORC-type scandals that have been so prevalent over the last few years.

There are limits on the Ontario Municipal Board around environmentally sensitive areas and I think that's really good. We've all had the experience, at least those of us who have had the privilege of serving in municipal office, of seeing an occasional developer—there aren't very many of them but there are some—come forward and say, "I'm not even going to show up at the hearing. I'm just going right to the OMB." That ain't going to work here. At least we have some reason to believe that.

I want to compliment the Honourable David Crombie, who seems to have done some very good work here in terms of trying to find some balance. He has a very good reputation for environmental vigilance and being able to negotiate between competing interests. I want to flag as well that there is a requirement in this proposed legislation with respect to the rehabilitation of aggregate pits, which has plagued a number of municipalities, although I would point out that there also seems to be some pretty unfettered licence for potential future aggregate pits, which causes me some concern and makes me wonder whether they see the right look in our eyes when that kind of window is opened in the legislation.

There is some very specific guidance to municipalities which suggests that they can't do anything to weaken the plan, they can only move to strengthen it, although it's noted "except in the aggregate area." So again I note that concern, although everyone in this House knows that the aggregates are very important and there is a limited number of places that they come from.

The 10-year review commitment and the reference to the establishment of a foundation I think are useful ideas as well.

As we reflect on some of the good things, let us not forget that we have had some interesting history over the last six or seven years in particular with respect to developers perhaps being rewarded beyond their risk and/or accessing the occasional sweetheart land deal through the Ontario Realty Corp. I want to take the minister at his word that he's going to be particularly vigilant with respect to that. I guess one of the difficulties I have as a member of the House is the propensity to change ministers. In the five and a half years I was mayor and in the little time I've been here, I think we've had five different Ministers of the Environment. The minister we currently have is probably the one who has got the best look in his eye, although he still has to deal in the context of a government that doesn't always appear to share the kinds of values that many of us on this side of the House hold.

All of that having been said, I want to spend a few moments offering some critique, as my good friend from

Sault Ste Marie did as well. It's offered legitimately and in the hope that as we move to committee and hearings, those who have ears to hear will hear. So it's in that context. The devil doesn't need an advocate, but suffice it to say that the devil is in the details here, very much so. There are many potentially devilish aspects to this legislation. We saw, for example, in the Lands for Life program, which was initially praised by all, that there really were some problems with it. There appeared to be a secret agenda around mining interests at the time. There seems to be an almost explicit front-loading of this same reality with respect to the aggregate potential here as well.

The fact that very much of this legislation, like the new Municipal Act, will be handled through regulation and therefore not subject to debate or vote in this House causes me and members on this side of the House some concern, particularly when there's a reference in the actual legislation that the Minister of Municipal Affairs may amend the plan at any time and that the amendment the minister takes—and we may be OK as long as the current minister is there, but you never know with this place—any decision taken, will be final and subject to no appeal. That's pretty powerful stuff. I think, as one who has for years been an environmental watchdog, here we have some responsibility to be policy and procedural watchdogs as well. This part needs to be strengthened. The plan needs to be approved and needs some person independent of the minister or a commission given some oversight here. I know the Niagara Escarpment Commission, although it's had its faults, has by and large worked fairly well with a number of areas that I'm familiar with.

**2020**

The concern about the GTA versus the eastern municipalities also should give us reason for pause. After referencing in the background information—not in the act—that certain areas aren't subject to the same kinds of development pressures, the government then proposes to release them from many of the obligations which are explicit in other areas, so one can only wonder. I know that many of these areas are in the Minister of Municipal Affairs' bailiwick. I think the very rationale that they offer could be used, I would suggest, as a rationale for in fact extending the very same protections beyond.

We were told in the technical briefing that there are some 15,000 mostly Richmond Hill potential housing units to be built. When I asked how many were in the settlement area, I was told about 94% or 95%. That begged the question, where are those units that are outside that 8% that's prescribed as the settlement area? And what sorts of extra tests, which we're told will apply, should apply here?

The reference to the potential land swap raises some flags. I want to say for the record that I, for one, appreciate the fact that people do have property rights and property interests. But, having said that, I don't think that the compensation should be disproportional to the risk that land speculators have taken in this area. Again, I want to say there needs to be a really clear and enhanced

sense of vigilance and transparency here. We were told in the technical briefing that would happen, but I would like to see that firmed up a little bit more in terms of the act itself, particularly given that for all intents and purposes, the land in question has been identified and is either frozen or in limbo. There's no reason—we're not acquiring land here, we're not selling land; we're talking about value and added value: the value of land when it was purchased, the value of land when it's disposed with, what kind of transaction makes sense and what constitutes a sweetheart deal. I think that needs to be—

**Mr Beaubien:** On a point of order, Mr Speaker: I'd like to draw your attention to my two daughters in the gallery. Thank you very much.

**The Acting Speaker:** That's not a point of order, but welcome.

**Mr McMeekin:** That was worth being interrupted for. Welcome, young ladies. I have three daughters of my own and I suspect that, like you, they too are very concerned about this legislation and some of the potential it creates for all of us for a brighter, better tomorrow.

We need some stronger watchdogging here, particularly, as I said, with the Ontario Realty Corp having some history of selling off property below market value.

I'm concerned about potential roads and infrastructure through the moraine and I think we need some enhanced clarity there.

While I'm pleased with the legislation that's before us and the cumulative stakeholder involvement and the fact that everybody in this House seems to want to own a piece of this—I sincerely acknowledge that—I think before we crack open the champagne and start celebrating, we had better take the time we need to be faithful stewards of the i-dottings and t-crossings. As I mentioned at the outset, the devil is in the details and there are lots of potentially devilish aspects to this legislation which I'm sure every member of this House will want to make sure don't mitigate negatively on this act.

**The Acting Speaker:** Questions? Comments?

**Mr Martin:** I want to thank the member for Ancaster-Dundas-Flamborough-Aldershot for his comments—

**Mr Caplan:** It's hard to get his riding name.

**Mr Martin:** Yes, it's a mouthful—and for raising some of the issues that he has. He's certainly right. This isn't as black and white as it presents. There are all kinds of sidebars on this one that we really need to pay attention to because they will come back to haunt us if we don't and will be very much reflective, I think, of the priority of this government, which is to, yes, I suppose in this instance on one hand call on the carpet their developer friends, but on the other hand, behind closed doors and from another pocket, give them a lot more than some would figure their due in this instance. That's not what I want to spend my short few seconds here talking about this evening.

I know the member from Ancaster will agree that this is also a diversionary tactic by this government. You don't all of a sudden out of the blue do a complete about-face on an initiative because it makes everybody feel

good or because you've become an environmentalist overnight. This is about getting people's thoughts away from the very difficult economy that's coming at us and the fact that literally thousands of people across this province are now losing their jobs and this government has no plan to deal with that. They've literally spent more money with their tax cut to people than either the Liberal or NDP government ever spent year to year in their terms of office, to the point now where they find themselves having raised the debt in the province and having absolutely no money left in their coffers to come up with the very important programs that are going to be necessary to make the adjustments for communities, industries and workers in trouble.

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** I'm pleased to add my comments and join my colleagues who've been speaking on this bill in the Legislature tonight. I come from the riding of Guelph-Wellington. In our riding we are particularly proud of having a very green conscience. That has been noted in many things we've done that have set examples of leadership for many parts of the province in many different ways. Wet-dry composting, for instance, the first municipal composting system that has worked effectively in North America, was specifically designed for my community. People in my riding are really interested in green activities the government has undertaken. This is one of the many projects our government has undertaken and has been instrumental in its scope. This particular one has been applauded by so many folks across the province because it contains many elements that a lot of us who are interested in conservation particularly appreciate.

I was just looking through some notes here. There are a few things that stand out: for instance, words like "linkage areas"; "preserving agricultural land"; "preserving natural core areas, countryside areas"; "continuous trails"; and "establishment of private foundations." Many of us who have been involved in environmental projects before coming to this place understand full well that for a conservation or for a preservation project to be solid and to be long-lasting, key elements like those that I just read must all be put together for a project to be successful in the long term.

I want to particularly congratulate Mr Hodgson, our Minister of Municipal Affairs, for doing such an outstanding job of first of all getting everybody together, for the most part, for a project that is well supported, but, most important, understanding what the key principles are and making sure they were part of this.

**Mr Dwight Duncan (Windsor-St Clair):** I am pleased to respond to my colleague Mr McMeekin from Ancaster-Dundas-Flamborough-Aldershot and begin by saying that it was the prodding of my colleague Mike Colle and the environmentalists north of Toronto that brought this government to a change of heart that's Biblical in proportion, not unlike Paul's conversion on the road to Damascus. I don't think we are going to let these folks forget it. The provisions of the bill itself in our view are well and good and we will support them.

We hope to have the opportunity, as we do on most bills, to provide some amendments.

I want to put the government on notice today that we are going to be watching that land deal in north Pickering and Seaton to see how it works out, to see who gets what, to see how the monies are apportioned because, frankly, we don't trust this government on land deals, certainly not something of this magnitude. The record on numerous occasions of the ORC is certainly not a stellar one. Now, that's not part of the bill, I realize that, but it is an important component of this entire package and merits the scrutiny of this Legislature. I certainly hope the government will be more forthcoming about the land deals involved here than they were, say, about the 407, the deal to privatize that.

**2030**

**Mr Caplan:** Still secret.

**Mr Duncan:** Secret to this day, although we now know that at the time the government gave away future huge toll increases against the people they represent in order to get some cash in the till before the last election.

I applaud this conversion on the road to Damascus. It is Biblical in proportion. But we'll be watching that land deal, and I suspect that's where the real debate is going to occur.

**Mr Chudleigh:** I was listening carefully to the member's comments. It was interesting to hear his comments. I don't believe he spoke very much on the Niagara Escarpment Commission, which runs through his riding, a very beautiful part of Ontario. It runs through my riding as well. I thought he perhaps might comment on the effects that kind of land mass, that is protected, that has certain planning restrictions on it, might have on a municipality, on a community, as it develops and moves in time.

The Niagara Escarpment Commission has done a marvellous job in protecting the natural heritage issues along the escarpment, and it has caused some disruption among certain property owners. From time to time, as the members on the commission ebb and flow, as they change from one particular viewpoint to another viewpoint, that causes disruption in a community. That disruption is really based on the types of people or the bent of those people who sit on those commissions. If those kinds of things can be moderated to ensure that people who live on those types of lands like the Oak Ridges moraine are protected—the individual landowners, the individual people who live and work and take part in those special parts of the environment along those areas—if those kinds of things can be taken into consideration when the plan becomes implemented, it can be dealt with in a much more affable way so that people don't get upset when they deal with these issues.

**The Acting Speaker:** Response?

**Mr McMeekin:** I appreciate the comments of all those who spoke, and particularly the last comment from the member from Halton. It's said that every saint has a past and every sinner has a future. Well, maybe we're seeing some of that played out this evening.

I'm pleased, like other members on this side of the House, if we've helped in any small way to move this government away from their propensity to be lean and mean to being, at least momentarily, keen and green.

The member opposite asked about the importance of controls in a plan. He's right. We want to make sure that's here with this legislation.

I don't pretend to understand this government's sudden move to the centre on so many issues. I know that one of my political mentors, Bobby Kennedy, has suggested that governments and politicians tend to campaign in poetry and govern in prose. We're seeing a little bit more poetry these days. One would almost think there was a campaign on of some sort.

We note for example that in the race to the centre there's an acknowledgement now that transit belongs to the province; that we've got an ODA, although it doesn't include any housing entitlement rights; that we suddenly found some Christmas money for little kids; that the Oak Ridges issue is finally here; that two-tier Tony has become one-tier Tony—have you noticed that? We even have the Minister of Finance disavowing any involvement he's had in the private school tax credit.

It's almost like there are a whole bunch of camels on the road and a lot of conversions taking place. I personally don't believe any of that. I think it's the incredible influence of my colleagues in the Ontario Liberal Party on this side of the House convincing—

**The Acting Speaker:** Thank you. Further debate? I would remind members we are now at the 10-minute time limit.

**Mr Howard Hampton (Kenora-Rainy River):** I'm pleased to take part in this debate because what I find most interesting about this bill is the history which led to it. I just want to take members back to the summer of 1995. It was fresh after the provincial election, and the member for Scarborough East was sworn in as the Minister of Municipal Affairs. He did a fairly audacious thing, for this government. He indicated that summer that he believed part of the Oak Ridges moraine should not be developed and should be set aside for protection.

For making those statements in a public way, we understand, we are told, the developers who wanted to develop virtually all of the Oak Ridges moraine then began a storm of phone calls to the Premier's office insisting that the Minister of Municipal Affairs abandon his position regarding the protection of the Oak Ridges moraine or be removed from his position. As it would happen, within two months the Minister of Municipal Affairs in fact was removed from his position and the member for Scarborough East was no longer Minister of Municipal Affairs. That was for having the temerity to suggest that some of the Oak Ridges moraine should be protected.

With his removal, however, the issue hit the public in a big way. It suddenly became the focus not just of people who lived north of Toronto along the Oak Ridges moraine, it became the focus of the national media, certainly the regional media. It became the focus of a

number of public rallies and public meetings that were held. The government was asked to commit that it would not allow development on the Oak Ridges moraine; of course, that commitment was not forthcoming. That then sponsored at least two private members' bills, one by the member for Nickel Belt and one I believe by the member for Eglinton-Lawrence. The member for Nickel Belt was successful, despite the government's opposition, and this is quite something for a private member's bill. The member for Nickel Belt's private member's bill actually received support on second reading because a few of the government members voted for it, most notably the member for Scarborough East, who had become by then the former Minister of Municipal Affairs.

That private member's bill succeeded at second reading and was referred to committee. That private member's bill basically set out a regime for environmental planning on the Oak Ridges moraine which would have essentially resulted in the protection of the majority of the moraine.

The government was asked if it would bring forward that private member's bill so that it could go out for public hearings. There were a number of scenarios that resulted in other government legislation being put before it and there were some other scenarios which meant that that bill could not come forward for second reading. That was essentially 1999 and the spring and summer of 2000.

The government hoped, I believe, that the public concern, the public demonstrations against development on the Oak Ridges moraine would subside, but in fact during that summer, the summer of 2000, there were even more public meetings and larger public meetings and information sessions and there were documentary television programs done on the Oak Ridges moraine, such that in the fall of 2001 there were two more private members' bills dealing with setting aside the majority if not all of the Oak Ridges moraine to be protected from development. In fact, what the public was now asking for was not just a protection of some of the moraine lands; the public was now beginning to say, "No development on the Oak Ridges moraine."

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Of the private members' bills that came forward then, one of them again succeeded in getting to second reading. The government was then faced again with the prospect that a private member's bill setting out how the moraine should be protected would become the focus of the public at large, which again caused the government some embarrassment.

We then get into the spring of this year, 2001, and the by-election that was held. We all know that the issue of the Oak Ridges moraine was a major issue in that by-election, which the government lost. The government lost, the Liberals won. I think that caused the government some concern once again that despite their best efforts to get this issue out of the public spotlight, despite the government's best efforts at trying to get this issue off the public radar screen generally, it was not going away, it was becoming bigger.

The Speaker will know and I suspect a lot of people in the 905 region will know that by this time a number of opinion surveys were being made, and the opinion surveys were showing that a very large percentage of the residents, certainly a majority of the residents who lived in the 905 region north of Toronto, basically where the Oak Ridges moraine follows, were saying two things: (1) that they wanted the moraine lands protected and (2) that they were opposed to further urban sprawl. Actually, they were also saying a third thing, that they were becoming increasingly concerned about traffic gridlock in their part of the province.

There then followed some more public meetings and public rallies in the municipalities north of Toronto. The government then tried to float a plan which would have protected not a majority of the moraine but would have protected some of the moraine and would have left the rest open for development. That proposal was probably all that the original Minister of Municipal Affairs would have asked for back in 1999, but it became obvious by this summer that that was no longer acceptable to the public. So after floating that plan and finding that it was going to meet with a barrage of public criticism, we finally arrived at where we are today.

This was not a government that came easily or quickly to doing the right thing. This was clearly a situation where the government has been forced to recognize that while its developer friends wanted to do X, the public—and by that, I mean an overwhelming majority of the public—were not interested in X, were not interested in development of the Oak Ridges moraine lands in any shape or form. People wanted to see protection.

So a government that was starting to fail in the polls rather severely and a government that was clearly out of step with people who are considered to be its core constituents, its core supporters, was forced to recognize that it had to do what people were demanding, that it had to give up its own favoured position of allowing development, in fact encouraging development, on and near moraine lands.

So what is this a lesson on? I guess it's a lesson on democracy. I guess it is a lesson that if people are willing to come together collectively and work together collectively and are willing to raise their voices and speak as one, they can even force a recalcitrant government to change its ways. So it is I think very much a victory for democracy, and it's a victory for the environment. I don't think we need to recount again how sensitive these lands are, how important they are, in terms of water resources etc.

We will support this legislation and, most of all, we will support the democratic process that got us here.

**The Acting Speaker:** Questions or comments?

**Mr Martin:** I want to thank the member for Rainy River for that very interesting history lesson this evening. We sometimes forget the everyday efforts of members in this place, as they put forward private members' bills, to respond to issues they see out there, or hear about from constituents out there, or in their own work identify as

needing to be addressed, and how over time, persistent, doing their homework, coming back day after day, they move the agenda forward to a point where they have raised public consciousness enough that the government, which always has the power to do the right thing, ultimately ends up having to respond in a way that reflects the public interest in this case.

It's really helpful when from time to time chronology is pointed out, when the dots are connected and we can all go, "OK, so that's how it all came about." We certainly have heard tonight of the various people who have contributed in different ways. We hear the Liberals talking about Mr Colle and we hear ourselves in this caucus talking about Marilyn Churley, the member from Toronto-Danforth. Tonight we've heard of the very real, important and dogged contribution of the member from Nickel Belt to this end.

It's important we all understand that in this instance we've had all three parties make a contribution. There was also reference by the leader of the third party to the member from Scarborough East and the contribution he made and the price he paid for having made that contribution. All of us somehow, in some interesting and unique way, contributed so that tonight we could be standing here debating a bill that, at the end of the day, I'm sure we will all agree is worth passing.

**Mr James J. Bradley (St Catharines):** I listened with a good deal of interest to the remarks of the member, via my office, electronically. I was listening at this time—

**Mr Hampton:** You were so moved you came down here.

**Mr Bradley:** Yes, it pumped me up so much I came down to comment on it. I wanted to commend the member on recounting why we are where we are today. It could be described, I suppose, if one wanted to be unkind, as kicking and screaming to a decision that, first of all, in their wildest dreams this government had no intention of making, and to the moment we stand in this House does not want to make even today. So if people are under the impression that this is what the Tories are about, they're sadly mistaken. If they believe the Tories are about tax cuts, they are, and I think that's a mark they've put on themselves. There's nothing wrong with that, if you want to take that position. But I want to say that this road to Damascus I heard the member for Windsor-St Clair mention is crowded indeed with those who are now cloaking themselves in an environmental robe.

I remember all the questions that were directed to the government last year, and there were stop signs put up to the opposition even asking questions about the Oak Ridges moraine. There was ridicule of the member for Eglinton-Lawrence when he asked these questions. But then we had a by-election, as the leader of the third party has mentioned, in which the government was virtually annihilated, two to one, in an area where they expected to win big time. That was the turning point. We don't have

converted environmentalists across there; we have political pragmatists.

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**The Acting Speaker:** Questions or comments? Response?

**Mr Hampton:** I want to thank the members for their comments. I want to remark a bit on some comments that were made by the former Minister of Municipal Affairs, the member for Scarborough East. When the government was finally forced to bring forward this legislation, this plan, which was last week, he was of course interviewed by a number of people in the media who asked him what he thought. I think his comments to the media were most revealing when he said, "When I, as minister, said we should protect some of the Oak Ridges moraine, some of the land and some of the features, I was hoping we might get to, gee, 50%." He said he would have been enthusiastic about that.

But he said that the government, by removing him from his position over that issue, made the issue that much bigger and that much more important in the eyes of the public, especially in the eyes of the residents who live along the moraine or who feel attached to it environmentally, and in the eyes of environmentalists. So he admitted that by trying to strike him down, to take him out, to eliminate his idea to protect some of the moraine, the government created the seeds of its own undoing on this issue, seeds that eventually have responded to the public and to our environmental appreciation. Some appreciation needs to go, some credit needs to go to the member for Scarborough East for having said that and for having—

**The Acting Speaker:** Thank you. Further debate?

**Mr Chudleigh:** It is with great pleasure that I get to say a few words about this proposed Oak Ridges Moraine Conservation Act. This act is more than an accomplishment; it's indeed a feat that exceeds all expectation. I am particularly pleased that our government has come to the point where we have protected this very important part of Ontario.

Robert F. Kennedy was quoted as saying that this plan is a good example of what government and political leaders are supposed to do.

**Mr Bradley:** That's not what he said two months ago.

**Mr Chudleigh:** Toronto Councillor David Miller says it gives everyone in southern Ontario a reason to celebrate—everyone in southern Ontario, I suppose, except the member for St Catharines, who apparently is not celebrating too much tonight. He said, "Today is a day to commend the province for making this decision that will protect one of the last natural regions in southern Ontario for future generations." Even critics are calling the proposed act and its corresponding land-use plan a "huge victory," a "monumental accomplishment," "a spectacular gift for our grandchildren."

If passed, this legislation will forever protect 100% of the moraine's natural features and water resources. It would focus development on approved settlement areas and preserve precious agricultural land. Even in settle-

ment areas, which would cover just 8% of the land, development proposals would be subject to strict environmental controls, in much the same way as they are under the Niagara Escarpment plan.

Given its importance, I urge my colleagues to support the proposed legislation and to pass it as soon as possible.

In 1994 the most anyone could hope for was a plan that protected 26% of the moraine. That recommendation was shelved, like the ones that came before it. This government's plan would make 62% of the moraine off limits to most development.

Every stakeholder—environmentalists, developers, local governments—agrees with the proposed legislation; indeed most celebrate it. For that accomplishment, which no one thought was possible, we owe thanks to my colleague the Honourable Chris Hodgson. The Minister of Municipal Affairs and Housing had the difficult task of bringing together a group of people with competing interests and asking them to agree on which areas of the moraine needed protection, where development could safely go and what conditions would apply to any approved development.

This group reached general agreement on almost every issue the minister asked it to review, and that consensus formed the basis of a document that we released in August for public comment. In a few areas, the public asked that the government go further than the panel's recommendations. Not only did we listen, but we also found ways of fulfilling the public's wishes in those areas. The government's plan generally follows the advisory panel's major recommendations. In a few areas, we propose implementing policies differently from what the panel recommended; nonetheless, the objectives are consistent.

I mentioned earlier that our plan would protect 100% of the moraine's natural features and water resources, and would do so forever. The proposed legislation includes a clause that says any review of the plan cannot consider reducing core and linkage areas.

The plan also includes strong policies to protect the quality and quantity of water on the moraine. It protects wellheads. It protects all the kettle lakes on the moraine. It protects coldwater streams, such as those running into Lake Simcoe.

It calls for innovative practices to manage storm water, thus protecting sensitive recharge areas. It prohibits technologies that cause storm waters to rapidly infiltrate groundwater, and it requires municipalities to incorporate watershed plans, water budgets and water conservation plans in their official plans.

As I said earlier, the proposed legislation focuses development in existing settlement areas on just 8% of the moraine. This is land that is already approved for urban uses in official plans.

In natural core areas, which make up 38% of the land area, permitted use would be restricted to: existing uses; forest, fish and wildlife management areas; conservation, flood control and erosion control areas; agricultural uses; necessary transportation, infrastructure and utilities;

accessory uses, such as bed-and-breakfast operations or home businesses in permitted residences; low-intensity recreational uses, such as hiking trails and picnic areas; and single residences on existing lots.

Countryside areas make up 30% of the moraine's land areas. Permitted uses in these areas would be limited to the same ones allowed in natural core and natural linkage areas. In addition, they would have agricultural and related uses, such as grain elevators and those kinds of things; small-scale commercial and institutional uses outside prime agricultural areas, such as schools and retirement homes; and major recreational uses outside prime agricultural areas, such as golf courses, serviced campgrounds, ski hills and those types of recreational activities. Lord knows, we can never have enough golf courses in Ontario, as the member from Ottawa will be sure to agree. In other words, the proposed legislation protects farmland and fosters growth in areas that are suitable for those kinds of development.

Another major accomplishment of the proposed legislation is that it protects critical pieces of the moraine, in Richmond Hill and Uxbridge in particular. These areas were under intense public scrutiny before the Ontario Municipal Board. Through an agreement with developers, we are taking over more than 400 hectares, a little less than 900 acres, of environmentally sensitive land to protect it from future development. Some of this land is being donated, most of it by the developers. Getting land donated by a developer is no mean feat. However, while some of it is being donated, most of it is being transferred to the province in exchange for provincially owned land that is not located on the moraine. It's in Pickering, in an area that would be suitable for development. Perhaps it's in the area that used to be defined around the Pickering airport lands.

The province would create a spectacular park with this land, a lasting legacy for the people of Ontario. As the *Globe and Mail* reported, this legacy will be larger than New York's Central Park. That's not all. We would establish a trail stretching across the entire 160 kilometres of that moraine, and we would make that trail accessible to people with disabilities.

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We would also create a foundation similar to the Living Legacy trust. The foundation would be involved in funding public education programs and stewardship programs to encourage landowners to protect water resources and natural features on their own land. As well, it would support the trail by funding the purchase of access points and the construction of facilities, bridges and interpretive centres. Funding for the foundation would come from various public and private sources. We, as a government, have committed \$15 million, plus a substantial land donation, and we're challenging the federal government, municipalities and the private sector to contribute as well.

In closing, the proposed Oak Ridges Moraine Conservation Act protects one of southern Ontario's most significant natural areas. It ensures the safety of drinking

water for more than 250,000 people. It protects the habitat of countless species, some of which are not found anywhere else in Ontario. I imagine there are some salamanders in that count. They seem to mutate rather quickly in various sections of Ontario.

**Ms Marilyn Mushinski (Scarborough Centre):** They multiply.

**Mr Chudleigh:** They also multiply, as the member for Scarborough Centre points out.

It gives developers clarity on where development can occur and, finally, it establishes clear rules for that development.

I urge my colleagues on all sides of the Legislature to pass this bill as quickly as possible. I think we can agree that the preservation of Ontario's parklands and sensitive areas is one of the truly great things a Legislature can do. If we can do that together, with the unanimous passing of this bill, I think it would go a long way to ensuring the public's respect for these very hallowed halls of our Legislature.

**The Acting Speaker:** Questions or comments?

**Mr Bradley:** I heard the member earlier make reference to the Niagara Escarpment Commission. I happen to believe that a commission would be very useful, as part of this legislation, to ensure that this land is indeed protected. I know the member has had his clashes in years gone by with the Niagara Escarpment Commission. I heard him make reference to that when he was making a comment on the remarks of Mr McMeekin.

It seems to me that while what we see so far is certainly supportable by the opposition, it's really going to be interesting to see who gets the land in Pickering, how much they get and how much it's worth. I challenged the members of the media the other day, once they get off anthrax, to send their investigative reporters to Pickering to try to determine who's getting what in terms of the developers. The silence of the developers after this announcement is ominous indeed. It tells me somebody is making big money in terms of the land exchange that's taking place. Of course, because there was mention of agricultural land being saved in this case, there will be considerable agricultural land lost for potential production when the transfer takes place. Of course we want to retain as much farmland as we can.

I'm one who always feels the government will compliment itself enough. One thing I want to say I agreed with was that the minister announced his plan at a press conference and announced it in the House. I hope that's the end of it. I don't think there's going to be the need for a multi-million-dollar advertising campaign, self-congratulatory in nature. I urge members of the government to ensure that's not part of this package. I know the member for Halton will be urging his members not to engage in such a public relations exercise.

**Mr Martin:** We in this caucus will of course be supporting this bill and working with whomever to make sure it does all that the government is projecting at the moment that it has the capacity or potential to do. We will, however, be opposing letting developers whose

proposals have already been given approval by municipal councils to proceed with their developments. I think that needs to be challenged and put in the context of this very important and progressive initiative.

Our caucus will be raising the question of what happens to all the other land in the 905, especially class 1 agricultural land. Will it now be "Let 'er rip" on those lands by this government, a free-for-all, so to speak? For example, the Smart Growth councils that are replacing the GTSB have yet to take form, so who's going to oversee this? The government has confirmed that developers will sit on these bodies, and this could provide an opening for the government to deliver for the developers on that prime agricultural land. We know that some developers will be quite upset with this piece of legislation. However, I'm convinced that there have been those difficult discussions behind closed doors and I think promises have been made. You can be sure that this government, if it gets a chance to come back and rule again for another four years, will deliver on those promises. So we all have to be very cautious here and be careful of what we're getting and make sure we understand all the consequential fallout from this.

**Mr Galt:** I'd first like to compliment the member for Halton for just an exceptional presentation, one that I thoroughly enjoyed. It was just very well done, with a lot of thoughtful comments and input there.

I wanted to comment: he talked about developers and lands being donated from developers. I heard I think from the member for St Catharines and others earlier that developers are all terrible people. In all professions, all trades and entrepreneurs there are the bad ones and there are good ones. I really don't know that many all that well but as reeve, as warden I ran into some who were really struggling to try and make ends meet, make things happen. I've seen some go bankrupt.

Where would we be if there were not some developers with our communities? Where would places like Toronto be? Where would St Catharines be? Would it be expanding at all? I don't think it would be. These are the developers, the entrepreneurs that take a chance and stick their necks out. Should they make a profit? Sure, they should make a profit with their necks stuck out as far as they have. I see them also going bankrupt. I don't think we should just paint them all with the same brush, that they're all bad just because they happen to be trying to develop a community and expand it.

I think the member for Halton very capably talked about a legacy for the people of Ontario, how it's going to protect this very significant area across southern Ontario. He talked about the importance of looking after the drinking water that goes into those aquifers and the importance of this area that will be protected which consequently will protect the habitat of many species that live in that area.

**Mr David Ramsay (Timiskaming-Cochrane):** Here we have with another bill that all three parties look like they're going to support. I think we're going to support it only because it's an initial first good step that deserves to

be supported. But, as people say, the devil is in the details, and the details here are really involved in that land swap. As the member for St Catharines says, there's a lot of money that's going to be made in this land swap, and I think we need some independent commission to make sure that this swap is supervised properly so there aren't unseemly profits being made here.

While it's good to move this development off the moraine, we are now going into the Pickering lands, where there is tremendously good farmland, in the south end of this province. We may be swapping one problem for another problem, even though in this case we certainly have protected the hydrogeology of southern Ontario through protecting the moraine.

Also mentioned in some of tonight's speeches, by the member for St Catharines in particular, was the possibility of the establishment of a commission down the road that parallels that of the Niagara Escarpment Commission. I think that's a good idea. In fact, I might even go further and suggest that we look at some sort of provincial park mechanism for this area. I think that in 10 years' time, what's going to happen is that this whole thing is going to open up again and the pressures are going to be back. We need to do something on a permanent basis to make sure this area is protected in perpetuity.

I was very proud to be part of the Peterson government when we faced the challenge of the Rouge Valley and what to do with that area, whether we should develop it or make it into the largest urban park in the world. We bit the bullet on that one and made sure we made it a park. I think we have to do the same for the moraine.

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**Mr Chudleigh:** It was interesting listening to the member for St Catharines, who talked about perhaps the innuendo of what may happen when the land transfer deals are done. There's always a bogeyman hiding in those areas. I suppose for the opposition it's their role, it's their duty to ensure that those kinds of deals are open and transparent.

I wasn't so fond of his comment that there is some innuendo around the conflict that I may have had with NEC. I challenge him to come up with one conflict that I have ever had with the NEC. I've supported that organization from its inception. In fact, when that organization was formed in 1973, I was a civil servant and I wrote a report that supported the formation of that. I was in on that one long before he was. His innuendo and comments in that area I take great exception to.

**Interjection:** Nobody takes him seriously.

**Mr Chudleigh:** You're quite right. No one takes him seriously because there are too many cheap shots coming from that area to ever be taken seriously.

I was pleased to hear the member for Sault Ste Marie say that he supports the act. I'm pleased that he mentioned that it's an important and aggressive initiative for Ontario. I congratulate him on those comments and support his position that this is a wonderful place to live, and to protect that land. I would support his reasons for

expressing concerns. Again, he's in opposition. He should ensure that the people of Ontario get a fair deal out of this process.

The member for Northumberland, as always, was eloquent and succinct and I appreciate his concerns, as I do the member for Timiskaming—

**The Acting Speaker:** Thank you. Further debate.

**Mr Duncan:** I'm pleased to join the debate. I'll use the time I have to review some elements of the bill, review some amendments that our caucus and party will be putting forward and then talk about the land deal that, while not part of the bill itself, is an integral part of this deal that we believe will require very close public scrutiny.

First of all I want to congratulate my colleague Mike Colle, who, I think most would agree, led the charge on this right from the very beginning. He took an issue against all odds. He said in this House that at times when the government was clearly working against him, when the development industry was clearly working against him, when big money interests were working against him, he and a bunch of very dedicated people all along the moraine, that 160-kilometre stretch of extremely important lands, a few courageous people, stood up and defended and defended and, as I said earlier in the evening, almost like the conversion on the road to Damascus, we see the government finally responding, we think largely because of the result in the Vaughan-King-Aurora by-election. That was the key turning point.

Our late colleague, someone we all respected tremendously, Al Palladini, won that riding with 59% of the vote. That was a testament to him personally, I believe, I always did believe, but it also had become a relatively safe Conservative seat in the 905 belt. Mr Palladini's unfortunate and untimely passing precipitated a by-election at about the time that the Oak Ridges moraine issue was at its apex. Remember, the government had rejected numerous attempts, most particularly my colleague's bill, to protect the moraine. And lo and behold, within two years of the general election the result had turned around completely—one of the safest Conservative ridings in the province. The Liberal candidate, my colleague Greg Sorbara, got 61% of the vote: two to one. So I guess that deathbed conversion, the conversion on the road to Damascus, doesn't really take us by surprise. This is all about crass politics.

The bill itself is a good bill. It incorporates many of the features that we called for first in Mr Colle's bill. I think we also had two opposition days over the course of the last couple of years dealing with this, and many of the provisions that we called for have been incorporated in the bill.

I remind you that the bill is late, not just because they didn't move quickly enough but because some sensitive lands have already been developed. They've been lost. We're going to talk at another time in greater detail about the whole question of not only environmentally sensitive lands—wetlands—but also agricultural lands and how quickly our top agricultural lands are diminishing.

Remember, this was a big issue back in the 1970s, when my colleague from St Catharines first was elected to this place, and it continues to be an issue. The only problem is that more and more of our good prime agricultural land has been gobbled up in the last 20 years. So that too is a key issue.

We believe that the protection of these lands and the hierarchy of protections, if you will, spelled out in the bill are appropriate and we believe that the bill itself can work well. Let me talk about where we will propose some amendments to the bill.

First of all, what we call transition issues: development applications in settlement areas that were in process but that had not received final approval before the government's May 17, 2001, development freeze will be allowed to proceed under the old planning rules. We're going to bring forward amendments to try to deal with that. Again, that comes down to the question of the lands that have already been impacted. A significant number of hectares—we're now on the metric system—have been taken out and have been developed already.

Development applications that had started in rural areas will be allowed to proceed under the old rules, with only minor environmental protection. This is important: overall, 15,000 new homes may be allowed to sneak in under the old planning rule. That's an important area that we want to spend a little time discussing in committee. We will have some amendments to do what we think will make it a better bill and preserve more land and have less land paved over in the moraine. We can never forget the significance of these lands to our water system and to our water supply. So it's extremely important, from that perspective, that we have the opportunity to bring forward those amendments.

The final aspect of the issue that I want to address is what I believe will become the most controversial part of this bill: the land exchange involving north Pickering and Seaton. We are very concerned about the land deals that are going to happen.

**Mr Bradley:** We're not hearing much from the developers.

**Mr Duncan:** It is very quiet, isn't it? It's extremely quiet.

I want to review for a minute what this is about. Some people would argue, and I must say I don't agree with them, that those who are losing their opportunities now should not be compensated for what was essentially a speculative purpose. There are people out there who believe that if you were speculating in land development, you ought not to be compensated on that basis alone. I don't share that view because essentially what you're doing—

**Mr Bradley:** I do.

**Mr Duncan:** My colleague from St Catharines and I differ on that. But what you're essentially doing, in my view, is in effect down-zoning lands that people hold and they do need, in my view, to be compensated. But the question will become, who gets compensated, how much compensation do they get, over what period of time do

they get that compensation and what other aspects of development deals will be cut in order to make it a more profitable venture?

**Mr Bradley:** There will be some sweetheart deals.

**Mr Duncan:** Will there be sweetheart deals? That's the term I was looking for: "sweetheart deals."

Any time government, and I must say in particular this government, involves itself in land deals, we get very nervous. We have seen a number of situations that we've found questionable, that the public auditor has found questionable, that others have found questionable. They give us nervousness. I think of the deal to sell the 407. The government needed a few dollars in the till before the last election and they let it go for a song. But they also let the private interest have the right to raise the tolls you pay over the next few years in an astounding fashion.

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**Mr Bradley:** They'll be at all the fundraisers.

**Mr Duncan:** They'll be at all the fundraisers. We still don't know the details of that transaction.

**Mr Bradley:** Why is that?

**Mr Duncan:** I think that's because the government didn't want us to know. Maybe they're embarrassed by what's in that. Maybe if we had good transparency laws and freedom of information laws—Dalton McGuinty and the Ontario Liberals are putting forward a package of amendments to the various laws that will impact on that very soon. I expect an announcement any time now that will show that this Liberal Party will govern this province very differently, in a more open and a more democratic fashion. It will make us even more different from the gang that closed down democracy in Ontario. That's what they did. They closed down democracy.

My colleague from Ottawa West: his own government, in this House, two weeks ago, forced his bill not to be considered in this House, without even telling him. What they did was they brought forward their—

**Mr Bradley:** It was an ambush.

**Mr Duncan:** It was an ambush when he wasn't even here. It was up to myself, my colleague from St Catharines and other members to defend him, while his own colleagues in the government sat back—I should say, however, that the member for London West came to the passionate defence of Mr Guzzo in what was a very good effort on his part.

We like the bill. We will vote for the bill. But we are going to watch the land deal. That's key. I am absolutely glad the government finally listened to what my colleague Mike Colle, our leader Dalton McGuinty and every member of this caucus have been saying for over three years: save, don't pave. They finally responded. We are going to watch the land deals that come after. We are going to vote for this bill.

**The Acting Speaker:** Questions or comments?

**Mr Martin:** To reiterate, we on this side will be supporting this bill. However, we will be very much engaged in the debate around issues that affect it and may be consequential to this. We believe this is a victory for the environmental community and the people of the 905.

They forced this government to do something it didn't want to do, to save the Oak Ridges moraine. The people of the 905 deserve special credit. They turned out in droves to public meetings. They forced a freeze on development. Then they forced amendments to an initial plan that would not have provided enough protection. We say good for them, bravo. This is a very important step toward protecting our water, as well as public open space and wildlife habitat. We in this caucus have always been and will continue to be committed to that.

We are, however, disappointed that the protections for the moraine area east of the GTA are weaker than what the advisory panel proposed. This includes an area in the minister's own riding. Aggregate extraction in natural linkage areas is also a concern. The advisory panel didn't take a position on that one. The land swap may be reasonable as a compromise, though we'd rather have seen the development moved to the Ataritari lands or another urban brownfield site. We think that would have made more sense in conjunction with the bill on brownfields development that they're putting through the House at this point in time as well.

We are also concerned the government may have given more to the developers than required by law. We hope that in compensating developers the government is not paying them what the land would have been worth under residential zoning, because the lands that were before the OMB did not have that zoning. The government should be upfront about which developers get land and the rationale for giving it to them, as well as the relevant prices. This information should be tabled in the House, among other things, so we might have a fuller debate on this very important issue.

**Mr Ouellette:** As we consider debate on the whole issue of the land and the areas near it being used—I know the area fairly well. I've spent a number of years, about 15, rather extensively through that area. I can describe some of it. South of Highway 7, there is a market garden just outside of Brougham that people regularly visit. Everything is south of Highway 7. West of sideline 24 is about 200 acres of corn that run right down to the creek where the Seaton Trail connects up through there. I hope that when the trail system comes through there, it will be able to connect with trails like the Seaton and the Durham Trail that actually comes through Oshawa. Hopefully, we'll be able to connect those.

Mostly, the areas or the lands north of Taunton Road, which is all in through there, are pretty much fallow. There are a lot of empty fields that aren't used for pasture or grazing or anything else. There is a bit of agricultural land in there, yes, but the majority of it, I would say in that whole area, is fallow land, with some abandoned gravel pits as well. With the 407 having come through that area, access has been substantially increased for infrastructure with Highway 7 and the Taunton Road four-laning, which will help traffic flows when the developers eventually build up that area.

I don't think I'm going to get a chance to debate it tonight, but there are a number of other areas I hope are

taken into consideration. As to forestry practices, when that takes place, I hope the management program that's currently utilized in the Ganaraska forest, which is part of the moraine, will be practised throughout the entire moraine, as it promotes a lot of new growth, yet allows the wise harvesting, the selective harvesting, of forest products through that area.

There are lot of things that we, as a government, are looking at. I know the trail system is very significant to me and the other members here, and I appreciate the opportunity to discuss it.

**Mr Bradley:** I want to commend my friend the member for Windsor-St Clair on an excellent address. He didn't have time to pay tribute to the Honourable Norm Sterling, the author of the Niagara Escarpment plan that has been so successful over the years. Unfortunately, Premier Harris yanked away from Mr Sterling the responsibility for the Niagara Escarpment Commission—and I have this theory—because he was so protective of matters related to the escarpment.

Second, the member for Windsor-St Clair said we have to have something that's as transparent as possible, as open as possible. One of the pet projects of Mr Sterling over the years has been freedom of information and privacy legislation. We will be looking forward to his assistance in getting the deals that are going to be done for the developers out in the open, very transparent and open, so we can see that nobody has been engaged in a sweetheart deal where they are better off with the new land they get than with the land they had on the moraine.

I don't happen to agree with those who would say that a developer should be compensated if he purchases the land on speculation and there is no change to the zoning.

If there's a down-zoning, there's a case to be made, but if it is just purchased on speculation, then I don't think there's a need for compensation because you take your chances. You don't compensate people who lose money in the stock market.

I know the member also would have wanted to pay tribute to Richard B. Wright of St Catharines, who won the Giller Prize in literature last night. If he had had the opportunity, he would have mentioned that in his speech, or the fact that this very evening, the annual meeting of the YMCA of St Catharines is taking place and the wonderful job they do on behalf of the people in our community. If he had had the time, I know he would have said that. But he had a wonderful address nevertheless that's really contributed immensely to this debate.

**The Acting Speaker:** Questions or comments? Response?

**Mr Duncan:** I will be voting in favour of this bill. I thank my colleagues for their responses and for sharing their thoughts with me on this. We will be watching the land deals. That will be the key here. We look forward to the government committing to public hearings on this bill. I'm sure they'd want to do that. They're proud of this accomplishment. We think they should be. They should have hearings and let us put the amendments we think will make it a better piece of legislation. Then let's vote on those. Overall, we will be watching very carefully how those lands in Seaton and north Pickering are disposed of.

**The Acting Speaker:** It being 9:30 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

*The House adjourned at 2130.*

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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 8 November 2001

Jeudi 8 novembre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
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Greffier  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 8 November 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 8 novembre 2001

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### CONGENITAL HEART DEFECTS AWARENESS DAY ACT, 2001

### LOI DE 2001 SUR LA JOURNÉE DE SENSIBILISATION À LA CARDIOPATHIE CONGÉNITALE

Mr Spina moved second reading of the following bill:

Bill 117, An Act to proclaim Congenital Heart Defects Awareness Day / Projet de loi 117, Loi visant à proclamer la Journée de sensibilisation à la cardiopathie congénitale.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes for his presentation.

**Mr Joseph Spina (Brampton Centre):** I'm very proud to be bringing this bill forward to the Legislature. I'd like to give a bit of a description and talk about some people to whom this is very important.

"Congenital" means inborn or existing at birth. A congenital heart defect occurs when the heart or the blood vessels near the heart don't develop normally before birth. Congenital heart defects exist at the time of a child's birth, and were originally thought to be a rare occurrence. Today the medical community has identified congenital heart defects as one of the most common birth defects and as the leading cause of defect-related deaths.

Medical research has identified more than 35 different types of congenital heart defects. They are present in about 1% of live births and are the most frequent congenital malfunction in newborns. In fact, in most cases scientists don't know how they occur. One out of every 100 live births is affected by a defect or defects. Ontario has the highest per capita.

Over 50% of children born with CHD will require at least one surgery in their lifetime; 20% of these children will not survive the first year. More children are born with congenital heart defects than with Down's syndrome, spina bifida and HIV combined. Canadian doctors perform over 3,000 pediatric cardiac surgeries per year, with Toronto's Sick Kids Hospital performing approximately 600 per year. There are in existence about 82,900 children under age 18 living in Canada with some form or forms of CHDs.

I want to acknowledge a group in the members' gallery that has come from across Ontario, some from as far as London and Woodstock, to see this important topic debated here in this Legislature. These are everyday people who have been touched by someone with a congenital heart defect. This group is led by Debi Smart, spokesperson for the Children's Heart Association for Support and Education, acronymed CHASE. She is also the founder of the heart and stroke congenital heart defects fund, and proud mother of 3-year-old Matthew, who is with us today.

I'll give this as an example of many children who have these problems: Matthew was diagnosed during his mother's pregnancy with tricuspid atresia, ASD, VSD, and a hypoplastic right ventricle. Matthew was born in Mount Sinai Hospital in April 1998 and was immediately rushed to Sick Kids, where he would undergo his first heart surgery the next morning. It was five days later when mother Debi could hold him again. After 13 days, he was finally sent home on medication. At the age of six months, Matthew had his second heart surgery, the first of a two-stage operation. In this surgery, they rerouted the blood from the top half of his body directly to his lungs. As Debi has told us, it was an excruciating experience to endure, seeing her child in the intensive care unit, paralyzed, with so many tubes, wires and intravenous lines. The surgery was on a Monday, and the family was finally able to have Matthew home on Saturday.

Because there has been so much trauma to his tiny body so early in life, Matthew's teeth have been decaying, and dental surgery was performed last year to try to repair some of that damage.

Matthew was to have the second stage of his surgery performed in November 2000, which would reroute the blood from the bottom half of his body directly to his lungs. However, his doctors felt his heart function was not strong enough and that the risk of complications and chances of death outweighed the benefits. So Matthew has been placed on two different medications and goes back in for tests again. His family prays that the medicine will improve his heart function.

Also in the gallery—I'm happy to see that they were able to change their appointment at Sick Kids for 10 am this morning to this afternoon and join us today for this important event—is Michael, son of Joanne and David Hills from my own riding of Brampton. Joanne, by no coincidence, will be president of CHASE for 2002.

Michael was born with a defect known as hypoplastic left heart syndrome. A normal heart has four chambers,

two collecting and two pumping chambers. Michael was born with only one. Incredibly, he was not diagnosed until he was five and a half months old. Joanne and David, like most parents, were devastated, but comforted by the confidence they had in the staff at Sick Children's. Within a 36-hour period before and after Michael's first surgery, he endured three cardiac arrests. Since then, Michael has had two more heart surgeries, three cardiac catheterizations and numerous tests.

Michael is on a blood-thinning medication because he is at risk of developing a blood clot and having a stroke. He is also on blood pressure pills to help his heart pump more effectively. Michael is three and a half years old and has spent over six months of his life in hospital. At some point in time, Michael will need a transplant.

The Hills have acknowledged that their lives have changed and they live each day for Michael's heart. They balance risks and consequences associated with Michael. They hope that CHD Awareness Day will help show people the miracles of life. The disability is hidden, often behind a scar or scars on the chest. Michael will begin school next year, and his parents have to start to put their trust in others to look out for Michael's interests.

Thirty, 40 or 50 years ago, most babies born with a congenital heart defect or defects died at birth or died very young. In the present day, most children can be saved, and many grow up to lead a full and active life. I know a couple named Linda and Gene who in 1947 saw their two-year-old suddenly turn blue. Not knowing how to diagnose it, he was treated for rheumatic fever with antibiotics. Of course it didn't make much difference, but he was able to survive. At age 5, he was finally diagnosed with some sort of heart defect. At age 11 it was determined that he had to have a bypass, because blood wasn't getting to his lungs. He lived. At age 26 he had full open-heart surgery for a tetralogy of Fallot, repairing not only the hole between the ventricles but also other parts of the body that needed to be repaired through that procedure. That child was me.

1010

I understand the pain these parents are going through, because my mother and father were in the same place. Seeing a child in pain and not being able to do anything about it is the worst feeling in the world. The wait for surgery and handing over a child who doesn't look sick is another terrible experience. Not knowing if he will have a normal life is a terrible burden. These are the things that parents of CHD children live with on a day-to-day basis. Normal, everyday things suddenly become so important. Youngsters like Matthew and Michael can't handle a large daycare setting, and it's difficult to find places that will look after the children on a regular basis. That is why awareness is needed. Until now, parents like Debi and Joanne have relied on Internet support groups such as PDHeart and CHD-Ca. These are international groups that support the mothers and fathers and families of children born with congenital heart defects.

People around the world have been contacting government officials about proclaiming an awareness day.

Almost all the US states, as well as many countries, have proclamations in place. It is crucial that parents, pediatricians and all people who work in health professions have a greater awareness of the potential for CHDs among newborn babies. All are encouraged to learn more about congenital heart defects, to participate in this special observance and to support its valuable goal of raising public awareness of a serious health matter that affects newborn babies.

To all the children with CHD, I ask that the Lord keep you in the palm of his hand, and may the people of the world understand that these are special children.

**The Acting Speaker:** Further debate?

**Mr Steve Peters (Elgin-Middlesex-London):** I think it's important that we go on the record that we will be fully supportive of what's been put forward today.

This is about children. We've had a lot of debate in this Legislature in the last little while about the cuts that have taken place in London. I read the background material that was provided to me by the honourable member. He steered me to a number of Web sites to help me in my awareness of what's happening. As you go through the Web sites, they take you to different places, different sites. One of the sites they lead you to is the London Health Sciences Centre. In fact, one of the sites for information and resources on congenital heart diseases talks about pediatric cardiology departments. Do you know the only one listed? It's the London Health Sciences Centre. It talks about the London Health Sciences Centre and the great things it does for adults and, more important, for pediatric cardiology services to the people of southwestern Ontario. It talks about the different services that are provided at the Children's Hospital of Western Ontario and the great things they've been able to do to help kids in southwestern Ontario.

The tragedy is that as we stand here today, we've got a program that helps kids in southwestern Ontario. Because of budget constraints being put forward by this government, we're seeing this program, which helps kids, destroyed. We had a debate in this Legislature this week about this program, and we Liberals wanted to see a halt to the cuts to this program. It didn't happen. The government voted to allow these cuts to continue.

I can understand that the member is emotional about this. I do, because while I've never had to deal with this, I've met a lot of families over the past month that have had to deal with this and that go through what these families have gone through. Here we are, as individuals, standing up—it's so important that we stand up and bring awareness to this issue. We have to bring awareness to this issue. But I implore all of you, as we bring awareness to the issue today—and I'm sure there will be unanimous support in this Legislature for the bill that's in front of us—to look in your own hearts and think, if we're going to bring awareness to a program and the important things it does, why we as legislators would allow a program to be cut that does the very things we want to do here today.

I want to talk—and I'm not trying to make this political. I'm just trying to bring it back—

**Hon Rob Sampson (Minister of Correctional Services):** Not very much.

**Mr Peters:** Well, obviously—I'm not going to go there; I'll leave it.

**Hon Mr Sampson:** You should.

**Mr Peters:** I should go there. Why are you allowing this to happen? Why are you allowing these cuts to take place in London? Children now have this surgery available to them in southwestern Ontario, and you're going to force them and centralize the services to Sick Kids in Toronto. Come on.

This is a letter I received from Dr Yves Ouellette, who is in pediatric critical care medicine at Children's Hospital of Western Ontario: "The loss of cardiac surgery services will have a profound effect on all pediatric care delivered at the Children's Hospital of Western Ontario. Pediatric cardiac surgery is a key program at CHWO. Approximately 250 children with congenital heart disease are treated at the Children's Hospital of Western Ontario. Most are admitted to the pediatric critical care unit for some time before and after surgery," some of the very surgeries these children over here have had to go through. "The program is foundational and fully integrated with most of the other programs offered at the Children's Hospital of Western Ontario."

One family talks about their young child being rushed to the emergency department at the children's hospital. Without the close proximity of the children's hospital and the cardiac services, it's not likely that she would be alive.

Here's another family from Kitchener—this was in the Kitchener-Waterloo Record on October 15, 2001: "A Kitchener family and their infant daughter who has congenital heart disease are victims of health care cuts in another region." This young lady "was born with half a heart. When she was five months old, she had life-saving surgery at the London Health Sciences Centre." The program is disappearing.

We're talking today about congenital heart defects. Look at the heart programs that have been announced to be cut by the London Health Sciences Centre: cardiac transplant, pediatric and adult; cardiac arrhythmia surgery—I saw a reference to that in the materials the honourable member put forward—pediatric cardiology surgery, another program that's being cut.

This is from Dr Kostuk, a cardiologist at the London Health Sciences Centre, dated October 9, 2001: "London came to be recognized as one of the leaders in cardiovascular medicine. Two developments that contributed to this recognition were heart transplantation and arrhythmia surgery. Now that other academic centres in Canada have developed similar programs we have learned that the London Health Sciences Centre will divest itself of these important programs...."

"We cannot afford to lose pediatric cardiac surgery, cardiac transplantation, arrhythmia surgery or endovascular procedures. The fallout from loss of these services will be profound. Inevitably it will lead to the loss of other support services. We will lose our ability not only

to attract, but to maintain the young clinician/investigator. These are the very individuals that are vital to maintain" London Health Sciences's "high standards of patient care and clinical research into the future."

**1020**

As you look at the material that the honourable member provided as background for us to refer to as legislators to support this, it took us to the Web site in London:

"The Children's Hospital of Western Ontario at the London Health Sciences Centre is one of three tertiary pediatric cardiovascular centres in the province. Pediatric cardiology offers a wide range of cardiovascular services for children in southwestern Ontario. These ... include fetal echocardiography for prenatal diagnosis of congenital heart disease, as well as a comprehensive range of invasive and non-invasive diagnostic procedures. Pediatric cardiology is an integral component of the pediatric heart transplant program, a co-operative venture between the Children's Hospital of Western Ontario and the multi-organ transplant service at the London Health Sciences Centre."

In dealing with cardiac surgery, adult and pediatric:

"The London Health Sciences Centre provides the only tertiary pediatric surgical service between Toronto and Winnipeg. This service has developed both in volume and complexity, with almost all aspects of pediatric heart surgery offered to infants and children. In addition, children from across Canada are referred to" London Health Sciences Centre's "service for heart transplantation."

We're going to support this resolution, and it is something we must do to recognize what families have to go through. But I think it's incumbent on every one of us in this Legislature to ensure that we provide the best services we possibly can to all our citizens and to not centralize services in Toronto, that we continue to maintain services for children all across this great province, from London to Ottawa to Kingston to Toronto. Don't allow these cuts to continue.

To the member, I commend you for bringing this forward today.

**The Acting Speaker:** Further debate?

**Mr Peter Kormos (Niagara Centre):** Thank you kindly, Speaker. Thank you for the chance to speak to this.

New Democrats support the bill before the Legislature today, of course. At the end of the day, the bill, I'm confident, will pass second reading. At some point it will be put forward for third reading. It will become a statute. It will be in the statute books, and people who are inclined will be able to access it in the RSOs, the Revised Statutes of Ontario, or on their statutes of Ontario disk.

But really, it's the families and friends and neighbours of children who have suffered from congenital heart disease who will carry on, as they have before and without this legislation proclaiming February 14 as Congenital Heart Defects Awareness Day, with the knowledge that perhaps here in the province of Ontario, and

hopefully in other jurisdictions as well, there's been some statutory notice of the significance of that day to them.

When this bill passes second reading, this Legislature, short of third reading, will have been completed with the bill. It will then be put into the books. It'll be there. It'll be there forever. And we'll move on to other things.

These families will continue raising their children. They'll continue going to incredible reservoirs of courage that I can't even begin to imagine—the strength that families, that parents of kids with congenital heart disease, have to muster to permit them to carry on, the strength their kids have to acquire, even the most infant of little kids, the courage, the strength, the tenacity.

By passing this bill, have we done them the service we would like to think we have? I fear that perhaps we've betrayed these children. The bill proclaiming February 14 as Congenital Heart Defects Awareness Day will pass, but the real commitment has to come from our collective commitment to invest sufficient resources in health care and in supports for families struggling and coping with congenital heart disease in their children. The real commitment comes in our investment of resources to make sure medical resources are available to every family at the earliest possible opportunity.

There are incredibly compelling comments reported in the Windsor Star, where Dr John Lee, a leading pediatric surgeon, says, "Parents in Windsor and across southwestern Ontario have a right to be very worried for their children. There is an overwhelming fear right now that the whole pediatric program will be decimated because of the decisions announced in London this week."

We've got a government that's been driven by its passion to provide tax cuts for the very wealthy, to provide more and yet more tax cuts for profitable corporations like the big banks with their billion-dollar-a-year profits, knowing full well that every penny of those tax cuts is going to come from the education budget or the health budget. Those are the two big-ticket items in its budget that the province of Ontario ought to be investing in.

We heard from the Ontario Hospital Association recently, here in Toronto and persistently and continuously across the province in community after community where hospitals are based, that hospitals are facing ongoing crises because of the lack of funding for those hospitals and those services. London pediatric was compelled to make some very dramatic decisions about the types of services it's going to be able to continue to provide, as a result of its suffering under the burden of a huge deficit as it has struggled with the underfunding and the cuts to its budgets, cuts that are not cuts when they appear on a linear basis from year to subsequent year in budgets, but cuts that are real cuts when one examines (1) the increased demands placed on London and its specialized services, and (2) the increased demands on hospitals across the province as we see aging communities, certainly in Niagara, one of the oldest communities now in Ontario. We see incredible new stress on hospital services, on health care across the board, and a government

that would rather give tax breaks to profitable corporations, a government that would rather give tax breaks to the highest-paid, the wealthiest people in this province.

I disagree fundamentally with a tax break at the expense of health care. I disagree fundamentally with a tax break at the expense of education. I believe that in a civil society, in a civilized society, in a caring society we don't force families to fend for themselves. We don't impose on them yet more and more burden, more and more cost by way of user fees or the extraordinary expenses that families, parents of children with congenital heart disease and quite frankly any other number of ailments, have to bear as their own personal burden when they have to travel great lengths, great distances to achieve medical care for their children, to acquire medical care and the appropriate medical services.

As a New Democrat, I believe it is impossible to sustain the largesse the Conservative government has provided for its corporate friends and its wealthy friends and at the same time demonstrate any sense of responsibility to health care in Ontario or any sense of obligation to the families of children with congenital heart disease.

#### 1030

Every person who feels compelled to vote for this bill proclaiming February 14 Congenital Heart Defects Awareness Day ought to be committing themselves today to rolling back this government's corporate tax cuts for wealthy, profitable corporations, and indeed to rolling back some of the obscene tax cuts for some of the wealthiest people in this province, to ensure that there are adequate revenues, adequate investments in hospital care, in specialized hospital care, in research and in supports for families of children who suffer from congenital heart disease and any number of other ailments as they take on incredible burdens out of their passion for their child's welfare and well-being, out of their love for a little baby born with the defects that have been enumerated, knowing full well that kids die because of the increasing scarcity of medical resources.

The corporate tax cuts of this government have to be held to large account for the burdens young children with congenital heart disease continue to face and for the increasing inaccessibility of adequate and appropriate treatment.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate with respect to the bill brought forth by the member for Brampton Centre, who gave a very impassioned and personal speech with respect to his reasons for bringing forth the act, which is to proclaim Congenital Heart Defects Awareness Day. The act reads very clearly that, "February 14 in each year is proclaimed as Congenital Heart Defects Awareness Day." I think that not only the member's intent but also his reasons for wanting this to happen are very fundamental and should be well received by this House.

I want to read something from the Heart and Stroke Foundation of Canada in terms of dealing with the causes of congenital heart defects:

"Congenital heart defects are present in about 1% of live births and are the most frequent congenital malformations in newborns. In most cases, scientists don't know why they occur. Some are caused by viral infections, such as German measles. If a mother contracts German measles during pregnancy, it can interfere with the development of the baby's heart or produce other malfunctions. Certain conditions affecting multiple organs, such as Down's syndrome, can involve the heart as well. A high number of congenital heart defects result from excessive drinking or using drugs such as cocaine during pregnancy.

"Forty years ago, most babies born with congenital heart defects died at birth. Those who lived were often seriously incapacitated by their defect. Today, most children can be saved and many grow up to lead full, active lives. Although there are still many challenges that research is struggling to solve, the past 40 years have seen tremendous improvements for children born with congenital heart defects."

Certainly that goes without saying in terms of the member for Brampton Centre's story about himself and what he and his family faced in this situation.

Also, the public should be aware of the Hospital for Sick Children cardiac programs. They are the largest cardiac programs in Ontario. They treat a total of 1,000 kids per year. They perform a high percentage of neonatal surgeries under the age of one month; they perform 110 to 120 surgeries per year.

The only pediatric heart transplant hospital in Canada is Sick Children's. They perform a procedure called the ABO mismatch, where a heart of one blood type is transplanted into a child of another blood type. They've been doing this surgery for five years and only one has been done in the United States. There are 7,000 to 10,000 outpatient visits per year at Sick Children's. A number of these are for checkups and adjustments of medicines.

Also, the Sick Children's cardiac programs perform fetal echocardiography, as well as at Mount Sinai and Women's College Hospital. Ultrasound 17 weeks into gestation can detect and identify cardiac defects in utero. When women are giving birth, they can immediately treat and provide the proper care for the infant. They also provide specialty outpatient clinics like nutrition clinics, monitor diets, watch weight gain, and provide visits by nurse practitioners. The idea is to move children out as soon as possible because children get better quicker in their home environment. Outpatient clinics also pick up problems that may occur. The child can be quickly diagnosed and treated safely. As well, they educate post-op parents on how to look after their children, to look for warning signs etc, and provide family teaching materials.

Certainly, for my riding of Barrie-Simcoe-Bradford the Hospital for Sick Children plays a vital role in providing that particular service that we fundamentally need in my area; it's been very well received and obviously is needed.

I'm speaking on the bill. I'm not getting off into the rhetoric that was brought forth by the other people who

have spoken on this bill, but I'll say that the member from Brampton Centre has brought forth something that I think is necessary in terms of public education and communication, to have February 14 in each year proclaimed as Congenital Heart Defects Awareness Day. I hope that the members here focus on what is trying to be accomplished here in terms of information and certainly public education, something that is important to the children of this province in terms of their health care.

**Mr George Smitherman (Toronto Centre-Rosedale):** On a point of order, Mr Speaker: I'm sorry to interrupt the debate but I wanted to take an opportunity to extend a very warm Ontario welcome to a group of students visiting Ontario from France, along with their teacher and host, a great friend of mine, Greg Lawrence.

**The Acting Speaker:** You would know that's not a point of order. Welcome. Further debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate, to lend my support to the bill and to commend the parents and the young people who have encouraged us to do this.

We're all familiar with various challenges that young people face. Collectively, by investing in finding solutions, finding cures, finding medical advances, we've been able to change the course of events for young people. Fortunately, in Ontario there are just so many examples of that, where 30 or 40 years ago young people who may have faced these challenges now have some terrific cures and remedies and can look forward to a very healthy, active and successful life. I welcome you here, particularly the young people. I always love to hear the sound of young voices in the chamber.

Bills like this are helpful. They do focus attention on issues. They remind us that with a little bit of investment by all of us we can make some fundamental changes. I think all of us have experience with some people who were born with significant heart defects that through medical advances have been either significantly reduced or cured, and thank goodness for all of that.

**1040**

I do think it is, however, important to remind ourselves that those do require public investments. I go back to the issue I've been raising for many, many months in the Legislature, and that is that we have to debate our priorities in this province. I do believe it's timely, because we have a bill before us that is designed to get corporate taxes in the province of Ontario 25% lower than in the United States. I say to all of us, there's no magic in finance. If you choose to have taxes in Ontario dramatically lower than our competitors in the US, public services in Ontario will be dramatically lower. I would also say to the corporations that the statistics that the government provide us suggest that every employee in Ontario has health coverage that costs \$2,500 per employee less in Ontario than in the United States—Michigan or any of the US states—because of the way we fund our health care system.

I do think that all of us need to not only debate the merits of the language in the bill, but also to debate our

actions here. I repeat, not only does the government want them 25% lower, they've told the federal government to cut corporate taxes federally by another \$7 billion to get them 45% lower than the US. That's what Mr Harris and Mr Flaherty have been urging the federal government to do. We asked a question as recently as a week ago today: why would you want corporate taxes 45% lower than the US? At the same time, by the way, the Premier wants the federal government to provide more funding for health care but he wants them to cut corporate taxes by another \$7 billion. So I would say to the people in the Legislature—

**Mr Garry J. Guzzo (Ottawa West-Nepean):** That's how you get the money. You know that.

**Mr Phillips:** Mr Guzzo is making a point that perhaps he does support cutting federal corporate taxes by another \$7 billion when we are told by the Minister of Finance we have a severe problem to fund our health care system in Ontario. We will support the resolution very much, but we also think that perhaps it's time for the government to take action. Rather than corporate taxes 25% lower than the US, let's have them competitive.

**Ms Marilyn Churley (Toronto-Danforth):** I am standing in support of Mr Spina's private member's bill today. I believe in awareness days for—

*Interjections.*

**The Acting Speaker:** Order.

**Ms Churley:** I would say to the parents who have their children here today not to worry about them making a noise, because you can see they're quieter than some of the members on the floor from time to time. So don't worry about it. It's a very pleasant noise as compared to the heckling that happens across the floor from time to time. Now be quiet over there.

I am very happy to support this bill before us today. It's infrequently in this place that we share with each other human stories, talk a bit about who we are as human beings and what we've gone through in our own lives. I, I'm sure like everybody, was very moved and touched by Mr Spina's personal story, and we're very happy to see him here alive and well and boisterous, causing all kinds of trouble in the House every day from time to time.

I do want to welcome the parents and their children here today. I would say that as a mother of grown-up children now who was very lucky in terms of overall these children growing up without major health problems, with sisters and brothers who have children overall growing up without serious problems until recently, where, in our family, my brother's daughter—my brother is a year younger than I and we're very close—at the age of 15, so you can never take anything for granted, was diagnosed with a tumour on her pituitary gland. This was over a year ago. We were shocked to the core and devastated, and we're still living with this. There was an operation; it was not totally successful and we don't know what's going to happen. My brother and his wife—they have two other children—are going through the terror of living day to day not knowing what's going to

happen to this beautiful eldest child of theirs. We spent time together as a family, all of us, over the summer. It's very difficult. I only have a tiny glimpse of what it must be like for you to have your beautiful children and have to live with this day to day.

I also learned from my sister and brother, however, that you do get on with life, because you have to. You take your kids out, you have fun with them and you do the things that you do on a day-to-day basis, but as well you carry that with you all the time. I believe that this is important because, as I started to say, awareness days are important. I agree with people when they say that it's just to bring awareness to the issue, and then there's the whole issue of how we spend our tax dollars. I'm concerned about what's happening in London, very concerned about the health centre there. I'm concerned about what's happening overall with our health care system. I agree that we need, as legislators and as people, to talk about what our tax dollars pay for and the value of those tax dollars.

But I also believe—and the reason I'm glad this resolution is here before us—that most people, unless you're directly affected with congenital heart disease, don't think about it. It's not one of those high awareness ones. I'm involved in some breast cancer awareness and prostate cancer awareness and all of those kinds of diseases out there—multiple sclerosis—that are life-threatening, terrible diseases, and we've all in some way been affected by them. But how often do you hear congenital heart disease talked about? How often is there an awareness of parents like these here today who are living day to day with this?

Do you know what's important about bringing this awareness to the Legislature? Every year now, on February 14, we're going to get up and talk about this and hopefully, because we're talking about it and other people out there who have to live with it are talking about it, we will bring in the funding, the public policies, the support groups, more research and all of the things, more and more than we're doing now because of an awareness. I'm hoping that out of this resolution today, which no doubt is going to be passed—with great pleasure—people will learn more about the disease and will be wanting to sponsor more walks, more awareness, and out of it will grow more opportunities to do more research and find newer ways to try to make these children healthier and live long, happy lives.

The other thing we should bear in mind is that although, as I understand it, children are born quite frequently with these heart defects, it can happen to children at any time. I have a story here from a young girl who's involved in trying to save the London children's pediatric critical care unit. She has written a little story about it. She says: "My name is Mary Klein. I received a heart transplant on December 3, 1998, and this is my story. I was in grade one when I got sick with a virus that affected my heart." Then she tells the story of getting sicker and sicker and eventually having a heart transplant in that unit. As I was reading through the story it seemed

to get happier and happier but it ends with, "I found out recently that I will need another heart soon. This one is not working properly any more." She's going to have to go through that again.

All of us who feel that our children have escaped that and we're happy, you never know; it could strike. We need, on behalf of all Ontarians and particularly those children here today, to pass this resolution today.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to rise today to join to the debate on Bill 117, An Act to proclaim Congenital Heart Defects Awareness Day. I think the member for Brampton Centre has brought this bill forward in large part because of his personal experience as a survivor of congenital heart defects. I think that often happens around this House. I'm sure the member for Toronto-Danforth and her experience of adoption and finding her son is a large part of the reason she has brought forward her vital statistics bill which is being debated at this time.

I'd like to join in the debate and read a letter from some parents who are involved with this who are here today: Michael and Carol Ferry, who I believe are here with their kids, Justine, Michael and Natalie. Their letter states the situation very well, so I'd like to read that into the record.

1050

"Dear honourable government member:

"I am writing you on behalf of the many people of Ontario whose lives are affected by congenital heart defects. Ranked as the most common birth defect, it is estimated that almost one in 100 children are born with some type of defect. At least 35 types are now recognized. While some of these children are repairable or require no surgery, a full half of these children will face one if not many surgeries in their lifetime.

"In July 1998, my daughter Natalie was born with a complex heart defect"—and I might not get some of the medical terms perfect here—"called hypoplastic left ventricle with double outlet right ventricle, an atrial septal defect, a ventricular septal defect, stenosis of the mitral valve and an open patent ductus. This is a very severe birth defect requiring several complicated open-heart surgeries. Until recently"—that being 1983—"this defect was considered fatal and very few options existed. Her first surgery took place on September 29, 1998, at the age of 2.5 months, after several misdiagnoses. After months of cardiac checkups, several catheterizations and numerous other tests were followed by her second open-heart surgery in April 1999. Finally, her third and final open-heart surgery took place January 11, 2001. The surgeons were happy with her recovery and she is doing extremely well since. Her heart will never be 'corrected,' and since hypoplastic left heart syndrome is the number one heart defect requiring transplantation and the field of cardiac surgery becoming more diverse each day, children like Natalie are surviving longer and her chances of leading a normal life are increasing.

"Since my daughter's initial diagnosis, I have been spending my free time trying to educate and inform

people about congenital heart defects." That's what this bill is all about, trying to raise awareness of this problem. "There is quite a strong Internet presence offering their support to parents who have children with CHDs, but off-line there seems to be little media attention given to CHDs and even less education. Most of the attention for heart disease seems to be focused on acquired heart disease and while I agree that this too is an important area to focus on, CHDs are also important and further education about them needs to be done.

"I am respectfully requesting that you support our bill and set aside Valentine's Day as CHD Awareness Day. A day of remembrance and celebration of the great medical advances, which keep children alive, would honour the unseen battle that children and adults with CHD fight daily. Creating a day of this kind would also help to lift the barrier of ignorance that is in the public about CHDs. This would make a significant impact on the families who currently are coping with these diseases as well as families who will have this disease touch their lives at a future point. The cardiac floor at Toronto's Sick Children's Hospital is always full of these little innocent patients."

That's from Mrs Carol Ferry, mom of Justine, aged seven, Michael, aged four, and Natalie, aged three, and husband Michael. Thank you very much for that letter.

I'd like to add my support to this bill and hope that it accomplishes its goal of raising awareness of congenital heart defects with the goal of bringing about more research and eventually a cure for many heart defects.

**The Acting Speaker:** Response?

**Mr Spina:** Thank you to the members of the government and, as well, particularly the members of the opposition for expressing their support for this bill.

The guests in the gallery are wearing a red-and-blue ribbon which signifies the red and blue blood that flows through a normal heart, and it's important that we remember that.

Parents are fortunate that today we have the technology and the practitioners in health care and the support groups internationally with the government-funded program. In 1957, the bypass surgery I had the first time cost my father a year's salary. We are fortunate today. My second operation, which was open-heart surgery in 1972, was fully funded by our health care system.

Funding for cardiac care continues to exist and has not been reduced. But London has other issues beyond funding. We appreciate what the member from Elgin-Middlesex-London says. I think it's important that we remember what is happening and try to rectify the situation there. But they do provide excellent care, as does of course the Hospital for Sick Children.

In the gallery, as I said, are Matthew, Michael and Krista. For them I want to say, with all the other children across Ontario, we hope they will survive as successfully as I have. Darlene, who is with us, is another adult survivor. These families come from Hornby, Brampton, Woodstock, Mississauga and Toronto.

The important thing is that awareness means knowledge, and knowledge means appreciation for the health

care needs of these children. At noon, after the vote, if we are successful, I'll be asking for the bill to go to the standing committee on finance and economic affairs so that it can get due process in time so that we can declare February 14, 2002.

**The Acting Speaker:** This completes the time allocated to ballot item number 31. I will place the questions related to its disposition at 12 o'clock noon.

#### ARCHIVES AWARENESS WEEK ACT, 2001

#### LOI DE 2001 SUR LA SEMAINE DE SENSIBILISATION AUX ARCHIVES

Mr Johnson moved second reading of the following bill:

Bill 116, An Act to proclaim Archives Awareness Week / Projet de loi 116, Loi proclamant la Semaine de sensibilisation aux archives.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes for his presentation.

**Mr Bert Johnson (Perth-Middlesex):** Last month, I attended the annual Italian Canadian Conference put on by the University of Toronto's Frank Iacobucci Centre for Italian Canadian Studies. I was there to present to the university a copy of the book *Bravi, Italians in the Town of St Marys, Ontario*, a book written about the Italian heritage of that town in my riding. I know my colleague Mr Guzzo will appreciate that book of heritage.

I tell you this because I feel it's very important that we protect and document our heritage for future generations. For the same reason, I have tabled this bill, An Act to proclaim Archives Awareness Week, 2001.

Archives are one of this province's hidden treasures. Many people have never visited their local archives or really thought about the service they provide. Archives store, maintain and catalogue documents, photographs, audio and visual recordings, maps and other materials which make up our history. Archives collect and maintain original, unpublished and published, often irreplaceable material, which, if not handled properly, can be permanently damaged or destroyed. I understand, for instance, that one of the preservation methods for documents after floods is to immediately, or as soon as you can, freeze it, and it will become almost freeze-dried, and that will preserve most papers as well as we possibly can.

Archives are the place people can turn to find out more about their ancestors and their heritage, but many people are unaware of the resources available to them.

Two weeks ago, I took some time to visit the Stratford-Perth Archives, and you know what? I learned things about the history of the city of Stratford and the county of Perth that I didn't know, despite having lived in the region most of my life and representing that area for the last six last years.

During my visit, I did some research into my own history. The archivists, Lutzen Riedstra and Carolynn Bart-Riedstra, who are in attendance in the gallery today,

found for me a picture of the house I lived in in 1959 when I attended teachers' college in Stratford. The house was on Trinity Street, and I remember my landlady, Mrs Costello, with a great deal of affection. It was a project of the archives in Stratford to take photographs of every house on every street in the city.

I was fascinated to see the catalogue of photographs the archives has and would like to see other residents made aware of these valuable resources. An increased awareness is exactly what the Archives Awareness Week bill will accomplish.

1100

Lutzen and Carolynn also made me aware of an interesting archival project they undertook for the millennium. The Stratford-Perth Archives worked with grade 11 students from Stratford Central Secondary School and interviewed women in the community who can be described as war brides—women, mostly from Britain, who were married during World War II to Canadian soldiers stationed overseas and after the war came to Canada with their new husbands.

This was an excellent opportunity for students to interact with people in their community and develop an understanding of the challenges and experiences faced by those war brides. It also gave students the opportunity to see first-hand the importance and usefulness of having archival records, not only about personal experiences from World War II—sometimes those of their grandparents—but the importance of having archives in their community. Our community and future generations will benefit from having this information available.

Lutzen and Carolynn have worked with the Grade 11 students from Stratford Central Secondary School on other projects and work closely with their teacher, Susan Stock.

In my hometown of Listowel, the local archives have been in their new home in the Listowel public library building for just over a year now. I was pleased to be able to attend the official opening last year and to meet Sonja Robbin and Cathy Wideman, who are clerks in the Listowel Archives.

Currently, the Listowel Archives has a joint display with the Listowel Public Library this week to recognize Remembrance Day and the activities of our veterans.

I wanted to mention examples from the Stratford-Perth Archives and the Listowel Archives, because they illustrate the important work that archivists are doing in our communities. This is why I've introduced this bill to help raise awareness of archives, so that people can develop a better understanding and appreciation about our past.

Many of my legislative colleagues here this morning will be familiar with the annual Ontario Agriculture Week celebrations. Several years ago I introduced a bill in this Legislature to designate the week before Thanksgiving as Ontario Agriculture Week. For the past four years, archivists from the Archives of Ontario have put together an archival display of photos that have helped highlight the accomplishments and historical significance

of the agri-food sector in Ontario. This year I was pleased that Carolyn Gray, Kate O'Rourke and James Allan from the Archives of Ontario were able to provide an exhibit that was displayed outside the legislative dining room during Ontario Agriculture Week. This is an example of how archives make Ontario aware of its archival treasures.

Another example that helps demonstrate the importance of archives and archives awareness is the CBC mini-series entitled *Canada: A People's History*. It's interesting to note that for this 30-hour mini-series, the CBC collaborated with the National Archives of Canada and made use of 2,600 maps, paintings and photographs, as well as more than 200 moving images.

It's easy to appreciate the importance of archives, not only at a national level but also for our province, our communities and our families. If we are to understand the people, events, emotions and struggles that produced the present and will shape our future, it's important that all the pieces from our past are preserved intact.

By having an Archives Awareness Week, the public will hopefully think more about their local documentary heritage and endeavour to preserve their own documents, whether they are family photographs, journals, letters or community or corporate records. We all have an interest in heritage, because our heritage is our personal connection with our community and with our past.

The Archives Association of Ontario is endeavouring to make the resources its members hold more accessible to all Ontarians through modern technology. The archives association has developed ARCHEION, Ontario's archival information network, an on-line searchable database of documents available in the province's archives.

While this database is far from complete, it serves as a reference tool to provide information about archival holdings and services. The database links together and provides a central gateway to province-wide information about the records of schools, colleges and universities, municipal and provincial governments, hospitals, religious organizations, First Nations band councils, social and local community groups, business institutions and corporations.

I have brought forward this bill at the request of the Archives Association of Ontario, which represents 250 archives in this province as well as 300 other members. This association lists increased outreach activities and increased awareness as one of its goals. By creating an Archives Awareness Week, this Legislature would support that goal and help archives continue the important work they do.

Before I finish, I would like to recognize three other people, who are in the members' gallery to witness today's debate. They are Heather McMillan, executive director, Archives Association of Ontario; Michael Moir, president of the Archives Association of Ontario; and Peggy Mooney, director of the archival operations branch of the Archives of Ontario.

I want to point out that it was Carolyn Bart-Riedstra's year as president of the Archives Association

of Ontario a few years ago that brought about this idea of an awareness week to cast more light on the good work they do.

I also want to thank my colleagues in the Legislature for being here this morning and to thank those of you who have agreed to speak on my private member's bill.

**The Acting Speaker:** Further debate?

**Mr Steve Peters (Elgin-Middlesex-London):** I want to commend the honourable member for this initiative that he's put forward and also his work in recognition of Agriculture Week. These are two weeks that Mr Johnson and I think are of extreme importance.

A lot of us don't realize how important is the onus on each of us to preserve the past for future generations. The Ontario archives have been serving the citizens of Ontario for 98 years. It was established in 1903. It does a very important job of preserving the heritage of this province. I think it's incumbent on the government, and I certainly urge the government, to do everything it can to continue to provide not only stable funding but increased funding of the Ontario archives, because once these records are gone, they're gone. We can't allow that to happen. In this day and age when we're seeing a massive number of municipalities disappear, we have to ensure that as these municipalities disappear the archival records do not disappear. But it's happened.

I've heard countless cases of municipal amalgamations where somebody didn't have the foresight to preserve records, or they thought, "We'll just keep the assessment rolls; that will be sufficient." But there are a lot of other documents generated in a municipality that need to be preserved for future generations. So we can't allow that to happen, and we need to give the resources to the Ontario archives to make sure we know what is out there and that it's not going to be lost.

We can't allow things to happen like a few weeks ago when I was out on a tour through my riding and visited a local women's institute. The women's institute owns an old school, and they've done a wonderful job preserving the school. I asked them, "Where's your Tweedsmuir history?" Well, a number of years before, somebody had decided to houseclean, and the Tweedsmuir history went into the burn pile. You hear about that a lot. A lot of families clear out the house when somebody passes away. The furniture and the china are the important stuff, but the family photos and documents and letters end up in the burn pile. We need to do everything we can to increase awareness of our archives.

From a genealogical standpoint—genealogy is one of the fastest growing hobbies out there right now—every one of us should try to do what we can to learn where we've come from. That's another reason we need to have archives to preserve these records.

I look at my own county of Elgin. The county of Elgin had the foresight years ago to save its records. They didn't have a proper repository for those records, but they found storage space and squirreled them away. They had individuals over the years who recognized that some day this stuff was going to be important. I commend the

county of Elgin, because what they've done is hire an archivist and committed the capital dollars to establish an archives, and they've made the long-term operating commitment to keep that archives alive. So I commend the county of Elgin for the foresight they've had to keep the heritage alive for future generations.

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But I think too, as we see the Ontario archives down here at 77 Grenville with their storage repositories, they're cramped for space. I know Management Board is looking at initiatives to try and help the Ontario archives, and I think that's good, but I don't think we need to have everything centralized in Toronto. You have the Perth archives. We have the Elgin archives now. But why don't we look as a government at establishing regional archives? I can look at my own county of Elgin as an example.

The St Thomas Psychiatric Hospital is soon going to be vacant. The place is built like a bomb shelter. It's never going to burn down, it's dry and it has the ability to be turned into a formal archive. Why don't we look at regional archives, use some of these institutions that are being taken out of use right now? Let's establish a regional archive for southwestern Ontario as an example. It's very interesting: there are six wings, so you could have the Essex wing, the Kent wing, the Lambton wing, the Elgin wing, the Middlesex wing and the Oxford wing—six wings, six counties—preserve those records. I think we need to do everything we can to support the archives and not allow our heritage to be destroyed.

I commend Mr Johnson for bringing this forward. I know a number of people chuckled. My first statement in this Legislature was about archives, but I'm passionate about it. I think it's important that we do preserve our past for future generations, because if you don't know where you've been, you certainly don't know where you're going.

**Mr Peter Kormos (Niagara Centre):** I like the bill. I'm going to support it. Other New Democrats are going to support it. I like archivists. I like archives. There really are several different worlds we're talking about. We're talking about the Ontario archives, and I've been down there. My greatest interest has been in the photographic collections. The photographic history that has been accumulated there of every part of Ontario—small town and big city alike. I uncovered, and as a matter of fact we got them distributed out through the community by way of printing them up, incredible, great archival photos from Thorold South, for instance, from Crowland, from Fenwick and Ridgeville and Fonthill, from old Welland, the old Welland court house during its construction in the middle of the 19th century—an incredible collection of resources. And my only personal exposure so far has been to the photographic collection.

That's big-city province of Ontario. Reference has been made to the need for smaller towns, places like Welland, with its museum facility. You've got to understand that small-town museums have changed dramatically over the course of, I'd say, the last 15 to 20 years,

because they are now no longer just display places for antiquities; they are becoming increasingly, and increasingly importantly so, archival repositories. These small-town museums need resources to do their job properly. Even here at the Ontario archives I read that 25%—if I'm wrong, folks, tell me—of the paper collection is regarded as brittle and beyond use. Do you know what that means? It means if you pick it up, it's going to crumble like dust. And that number is undoubtedly growing, notwithstanding the best efforts and the best application of the most current technology.

The faith we have in old videotape and now CDs may not be quite warranted, because the evidence isn't in yet. It's going to require the passage of time to determine how effective these media are for actually preserving their content, because there's some speculation, notwithstanding the claims of the industry manufacturing this stuff, that in fact the lifespan in terms of it being utilizable as a recording medium is far shorter than anybody anticipated, even as short as 20 and 25 years.

Just the other day at the National Archives—it's incredible, the stuff. I ran across the deposit, if that's not an inappropriate word, of Jerry Gray. Jerry Gray was one of the founding members, along with Jerry Goodis and Simone Johnston, of the Travellers. They were a Canadian group, very progressive politically. They identified themselves with the good cause, with the good fight, with trade unionists and the progressive movement. They emulated the Weavers from the United States. In fact, they were at the front of the Canadian cultural movement fighting McCarthyism from Canada. They were mentored by Pete Seeger, who encouraged them to carry on performing. They were at picket lines across this province, across this country. They became incredibly popular. They penned the Canadian version of *This Land is Your Land*, which, as you may know, is Woody Guthrie's socialist anthem in response to *God Bless America*. As a kid, I was proud to sing that socialist anthem penned by Woody Guthrie. How many of us didn't sing *This Land is Your Land* in elementary school songbooks?

But the Travellers: it was Jerry Gray's deposit in the National Archives. The Travellers travelled—they did travel. Having penned—I just wanted to let you know, because I learned this from the Archives, right?—the Canadian version of *This Land is Your Land* with the permission of Guthrie, who was still alive at the time—he died in 1967—they gave all of the royalties, because it was a huge-selling song and it made a fortune, to the Woody Guthrie trust fund to raise his children, because Guthrie of course was very sick with Huntington's chorea and died in 1967.

I just wanted to illustrate. I mean, you stumble across these incredible gems, and I was concerned about the modest quantity of items in the Jerry Gray deposit with the National Archives. There's some CBC television film footage—or kinescope I suspect it is, because it goes back to the very first and second years of CBC television broadcasting here in the country—some audiotape. This stuff is very, very fragile. If this stuff isn't attended to—

and the volume of stuff even at the national level, in the National Archives, is so huge because there's a paucity of resources there too to enable archivists to do their craft, to do the things that they do best and (1) preserve it, (2) duplicate it so you've got backup and (3) catalogue it so people can access it. One of the problems with underfunded archival services is you can have room after room of material—am I right or wrong?—and if the archivists and the people running that archival facility don't have the resources to catalogue, well, it might as well be in the burn pile because it's going to disappear, and disappear incrementally, increasingly so over the course of the years as more and more stuff is piled up on it.

Rosario Marchese has been persistent in this House in terms of advocating tougher heritage legislation, in terms of protecting heritage sites and heritage buildings. We need that kind of legislation. None of us is as young as we used to be, but in my lifetime we've seen the disappearance of some incredibly valuable buildings and places. We just witnessed the opportunity for this government to preserve the site and the foundation of a former Parliament building down in the south end of Toronto, closer to the lakeshore. Surely it's in the scope of the intent and the spirit of this legislation for this government to want to embrace the opportunity that Rosario Marchese, the member for Trinity-Spadina, has presented to them, saying, "Here's our chance to preserve a site and, yes, some concrete, real hard-rock evidence of a very significant historical site." Do you remember the Mercer Reformatory, the women's reformatory south of here in what was then downtown? Do you folks remember Mercer Reformatory, the incredible Gothic building that was? Do you know the building I'm talking about? Too young? Mercer Reformatory, the women's reformatory, was an incredibly frightening building, as prisons are inclined to be, but the loss of that building and what it represents in terms of understanding the history of this city, this province, this country, is just incredible and it's incredibly acute.

Here we get down to where the rubber hits the road. It's not good enough to pat our archivists on the head and say, "Good job, archivists." They know they're doing a good job. They're doing it with broken tools and with inadequate resources. They're doing it with insufficient space in which to put the stuff that has to be put. They're doing it, working as hard as any professional could ever work, and working well beyond the call of duty, knowing that notwithstanding their best efforts, stuff is still going to be lost. That's not right; that's wrong. It's not enough to pass Archives Awareness Week. What good does it do to be aware of archives if we don't support the archives, if we don't invest in them, if we don't put resources into them, if we don't build the facilities? We have the capacity. Just think of the capacity we have in this province, using the Ontario archives as an anchor, as the provincial base, as the source of support and expertise to develop archival facilities across this province, big city and small.

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I think of the Ukrainian Labour Temple in Welland, down on Ontario Road. I've seen their archives, not pre-

served in an archival manner, but preserved out of love of the history of that great institution, that workers' centre, the place where people rallied, one of the rallying points for the Crowland relief workers' strike, back when the government of the day forced these workers to work at gunpoint for their social assistance. It sounds familiar, doesn't it? These workers in Crowland had the audacity to say, "No, if you're going to force us to work, we're going to organize into a union and you're at least going to pay us wages that permit us to feed our kids." The response of the government of the day was to bring down Hepburn's hussars and force them to work at gunpoint. Some things just never change at all.

In any event, the Ukrainian Labour Temple has this incredible collection of material, and it struggles along, quite frankly, with Varenky's Perogies sales on Friday mornings to maintain that building, to maintain the facility and to maintain a place to keep so many of these photographs, records, newspaper clippings, documents and letters and stuff that is memorabilia in one sense, but incredible and significant historical reference material in another.

In places like Welland, places like Pelham, if communities don't have museums, the libraries are more than eager to help participate in this archival function. Libraries would love to see their capacity expanded so they can perform not only the active, hands-on daily research, reading, computer work, Interneting sort of stuff, but so they can also have the place, which is a secure place and a place where archival material is documented.

Sometimes it's the most innocuous and seemingly irrelevant thing, but you look at the passport of an immigrant from Europe or any number of other places from the 1920s or 1930s, you look at the boat card, the shipping card that accompanied them, stamped, showing which ship these folks came over on, and you know what? A lot of those folks were illegal immigrants in their own right; they were.

I've talked to many an old Ukrainian, Hungarian, Pole, Italian. With the comfort now of Canadian citizenship well secured, they will acknowledge that, yes, given their desperation as economic or political or religious refugees, their situation was so oppressive that, yes, they broke the law, they lied. They sometimes misled the authorities, just like refuseniks out of the Soviet Union who were seeking entry to Israel. It's acknowledged. I've just read Chaim Potok's book, his history of one family in the refusenik movement. He chronicles the deceit that Jews in the Soviet Union had to resort to, to get out of the Soviet Union.

These are and were, I suppose, illegal immigrants, but I applaud them. I applaud the courage of these immigrants. I applaud their willingness to do what they had to do to save their families, to make life better for their kids and their grandkids. At the end of the day, I'm the kid of one of those kinds of immigrants.

This sort of material is disappearing daily as people get older, as people pass away and families move on and get rid of the clutter and the boxes of material and the shipping steamer containers of material. This stuff is

disappearing rapidly and we have a limited time frame in which to preserve it.

The author and sponsor of this bill has got to move on beyond this bill. We've got to support this bill today, but we've got to use this as a jump-off point for a major campaign to generate a mobilization by libraries, museums, archivists across Ontario to launch a major campaign to get resources out there, because this is SOS. It really is that level of emergency. This stuff is disappearing. It's disappearing into the blue boxes, into the garbage bins, into the ashbins, into the fire bins of any number of backyards on a daily basis. It is far too valuable to see slip away.

I refuse to let our history, as preserved and recorded, reflect only the history of the very wealthy and the very elite, the ones who have the money and the resources: the Eaton family and the what-have-yous. I refuse to let them monopolize the recorded and preserved history of our province and our country, because the real history of this province and this country is the small immigrants, the little people. I have no hesitation calling them "the little people." Those are the kind of people who came from the little villages like where my family came from, peasants who came here and who possessed these huge collections of everything from photographs to marriage certificates that constitute the real history of this province and our greatness.

We've got to fight and we've got to treat it as an emergency scenario to get resources out there into communities, big and small, to give them the tools to develop archival facilities, to run them properly, to staff them, to properly catalogue and preserve and collect this type of information.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate with respect to the bill brought forth by the member from Perth-Middlesex, An Act to proclaim Archives Awareness Week. The act reads, "The week beginning on the first Monday in April in each year is proclaimed as Archives Awareness Week." I want to indicate my support of the member for the work he's done in this area, and I certainly hope the House would support this bill today.

Archives are an important part of any community, but I have to say that I believe the area I represent is served by the best regional archives in the province. The Simcoe County Archives, founded in 1966, was the first county archives established in Ontario.

The Simcoe County Archives lists on its Web site two principal roles, and I quote from the Web site:

"The first of these is the preservation and promotion of Simcoe county's cultural and visible heritage. The archives collects, preserves, and makes accessible to the public, the documentary history of Simcoe county. The archives' extensive and important collection of maps, photographs, original manuscripts, magnetic and digital recordings, newspapers and other records make it one of the most highly regarded 'regional' archives in the country. The archival collection documents the political, social and economic history of Simcoe county. In addition to private manuscript collections, the archives

houses the records and documentary histories of schools, churches, businesses and all manner of institutions, and its earliest record, an original map, dates from 1540.

"The archives' second role is to provide efficient permanent records management services to the executive, management and administrative departments of the county of Simcoe, and also to serve the same needs of the municipalities which comprise the county. The archives provides storage, organization and public access for the permanent retention, non-active public records of the various levels of Simcoe county government."

The Simcoe County Archives serves Ontarians and others who are researching their own personal heritage and ancestors. This archives has census records available dating back to 1861, farm and business directories dating as far back as 1866 and information collected from headstones and monument inscriptions from many area cemeteries.

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As the member for Perth-Middlesex has said, these services are very important to maintaining the history of our citizens, our communities and our province as a whole.

With greater public awareness and interest in our archives, those archives could be further improved. Individuals might be encouraged to turn over any documents or photographs they have stored in their attics or basements to the archives, where those materials can be properly stored, maintained and catalogued for future use.

Greater public interest could also encourage greater corporate involvement in archives, both as contributors of documents and as sponsors of projects. Archives are facing one of the largest projects they've ever faced: creating an on-line catalogue of archival material. The AAO's program, ARCHEION, will someday make archives easily accessible from people's home computers anywhere in the world.

For these reasons the Archives Association of Ontario has made raising public awareness part of its mandate. By supporting this bill, I support that goal and our archives.

The National Archives of Canada contributed extensively to the CBC miniseries *Canada: A People's History*. Those are just some of the good works that can contribute to our society. Archives can also contribute to cultural tourism.

I also believe that the Simcoe County Archives, in terms of the type of work it's performing and its representation here today at this debate on this public bill, certainly is significant. I welcome the participation and the attendance of members of the archives authority.

I'm pleased to speak on this bill and I'm confident that it will receive the support that it deserves.

**Ms Caroline Di Cocco (Sarnia-Lambton):** I want to commend, first of all, the member for Perth-Middlesex for his bill, An Act to proclaim Archives Awareness Week. Although I want to commend him for that part of the support, if you want, to the archives association, I want to reiterate what my colleague from Elgin-

Middlesex-London has stated, and I also heard the member for Niagara Centre and others speak about the fact that the support to the archives association means more than that. It has to mean more than that.

One of the roles of government is not only to provide this kind of support, which is an integral part of supporting the archives, but there's also a role of government in ensuring that the professionals who preserve, interpret and process these documents have the resources that they need to continue their work. That's all part and parcel of this, because we can have the best archives in the world, but if we don't maintain the numbers of the professionals required and if we don't have the facilities and consistently upgrade them, improve them and add to them, if we don't move forward in those areas, we're only going to move backwards.

Today, as you know, we have very little protection when it comes to our heritage buildings. One of the unfortunate aspects in this Legislature is the fact that when it comes to government policy, since my time here, there's been an indifference to heritage. That's the best way I can describe it.

I toured the Archives of Ontario a couple of times and I found them absolutely fascinating. One of the most interesting aspects of it is the actual technology they have in preserving some of these rare documents so that they'll be there for posterity, but also making them available because of the technology they have to put them on the Web site and to have people leaf through without damaging the original pieces. That's a great deal of technical and professional work. I have a sense that when it comes to actually supporting it with a fiscal backup, I believe the Ontario Conservatives this day have, I'll use the word "indifference," to this aspect of our cultural heritage.

I was speaking with my colleague from Toronto Centre-Rosedale, and he spoke to me about the lesbian and gay archives, for instance, that he has a personal interest in. It helps us to understand what our identity is.

One of the things I have done in my search, if you want, of identity is that I co-authored and did some research on the history of Italian-Canadians in my area, as a way to be a part of this Canadian diversity that we have, this Ontario diversity. That's what the archives do: they preserve the history of Ontario's peoples and all of these wonderful stories and anecdotes.

I find that when we sit around at caucus that the member for Renfrew-Nipissing-Pembroke is a wealth of information when it comes to historical information about this political setting. Again, turning back to the archives—I'm not trying to say that you're an archivist or that you're a museum of sorts—I want to say that it's really important that we maintain and support the archives association, and I thank the member for Perth-Middlesex.

**Mr Garfield Dunlop (Simcoe North):** It's really nice to stand here this morning and support Bill 116, the Archives Awareness Week Act, 2001, by our colleague Mr Johnson from Perth. We've talked a little bit about archives awareness in the past and I'm really pleased to see that Mr Johnson has taken the initiative.

I would also like to take this opportunity to welcome all these fine young students here this morning. It's great to see them here. We're talking about the archives of the province of Ontario. I don't know if you know what they are yet, but you will know over the next few minutes when we vote for this bill.

I would like to take a moment and speak as well to something my colleague from Barrie-Simcoe-Bradford spoke on, and that's the Simcoe County Archives. It's too bad I couldn't have gone ahead of him because he stole some of my thunder with some of his comments. But as a person who spent 18½ years in the county of Simcoe as reeve of a community, I'm very pleased that the county of Simcoe was the first county-based archives in Ontario, dating back to 1966. If you've ever had an opportunity to visit an archives at the county level in the province, I commend you for it. If you haven't, I would ask, if you ever have an opportunity to visit Simcoe county, that you come to Midhurst and have a look at the archives there. You'll find what they've done with the archives in Simcoe over the last almost 40 years now absolutely amazing.

I would like to give a little bit of history on the Simcoe County Archives. As I said, the original archives were founded in 1996 as part of Simcoe county's Canadian centennial project. That was an amazing project. Everybody remembers Expo '67 and all that type of thing. Norbert Moran commenced his duties as Simcoe county's first archivist on May 2, 1966, and the transfer of the county's corporate records to its new archives took place later that month. The archives opened to the public on November 22, 1966, as the 2,200-square-foot addition to the Simcoe County Museum was unveiled for the first time. That's where the archives are today.

In January 1975, Peter Moran followed his father as the second Simcoe county archivist, a winner of the J.J. Talman award for pioneering efforts in the field of local archives.

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Peter oversaw the evolution of Simcoe County Archives into one of the finest regional archives in the province of Ontario, as well as in Canada. A specialized, 4,000-square-foot controlled environmental structure was opened in February 1980 as the archives continued to grow. As I said earlier, the addition in 1992 effectively doubled the size of the archives to 8,000 square feet. The person I actually got this information from, Bruce Beacock, was named archivist in 1994 and a year later, in 1995, was given the permanent position as the Simcoe county archivist.

I know when we talk about archives—and the member from Elgin-Middlesex mentioned it—about how many records have been destroyed over the years in some of the smaller municipalities, I was really pleased to see that when Simcoe county restructured in 1993 and 1994, all of the records from the 33 municipalities were taken to the archives and preserved. I know it was a big project because you had literally roomfuls of material that had to be documented and set aside so that the staff at the archives could work with it.

The archives around the province are not very vocal. That's for sure. We don't get a lot of resolutions or lobbying days here at Queen's Park from the archives. But I compliment the member from Perth for his foresight. It brings some attention to the archives here in the provincial Legislature. A lot of people don't even know what they are across our province. That's why I did mention it to the young people in the audience. It is important that we preserve our past. I know, as Mr Tascona mentioned, we have records at the Simcoe County Archives dating back to 1540. That's the original maps they have.

With that, I compliment the member for bringing forth this bill. I think everyone in the House will support it. I would hope that you'll continue with these fine thoughts that you've come forward within your private member's bill and your agriculture week etc. Thank you very much.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'm pleased to rise and support the motion standing in the name of our friend the member from Perth, the Laird of Listowel, in drawing our attention to the importance of archives. I want to happily endorse the bill and use this opportunity this morning to say a couple of things to the provincial Legislature here in Ontario about our provincial archives. I do so in a very ecumenical spirit because I want to observe that the province of Ontario has, without a doubt, one of the truly great archival collections at 77 Grenville Street and elsewhere. And we have, without a doubt, the worst physical space in which that material is located of any of the provinces or the federal government across the Dominion. That should be of concern to this Legislature.

It is not a fault of the Harris government. Quite frankly, the blame can be shared by provincial governments over the last 25 years. How many of you here have been over to that eight- or nine-storey office building about two blocks from here? Again, a great collection in a perfectly awful place. Because archival material is, as we all know, so very important for both social and economic reasons, we owe it to the people of Ontario, these young people in the galleries behind, among others, to better display the materials that we have not very far from this place. We have hundreds of thousands of photographs and maps and other very valuable materials. We have no exhibition hall here in this great metropolitan centre of Toronto. Why is that? Why are we not taking advantage of that great resource at a time when we know that things like genealogy are booming? Archives on-line are bringing tens of thousands of new people into contact with this information, as the member from Niagara was rightly pointing out: all kinds of new Canadians very interested in knowing something about their roots and their connection now to this new land of theirs.

A famous Canadian academic and the second Dominion archivist, a remarkable character, Sir Arthur George Doughty, who ran the National Archives from about 1904 to 1936, said, in a public remark in 1924, the following: "Of all national assets, archives are the most precious. They are the gift of one generation to another, and the extent of our care of them marks the extent of our

civilization." Powerful words. Strong medicine. Boy, by Doughty's standard, we here in the province of Ontario don't measure up very well.

I want to make the point as well: previous speakers have done an excellent job of saying that in their communities there are wonderful local archives. In the Ottawa Valley, which I am proud to represent, I have several. Two come to mind this morning. Heritage Renfrew: people like Marge Lindsay and Dave Lorente and Jim MacGregor and many others—some of them well-known and related to the Minister of Corrections—have done a fabulous job with the Renfrew archives. Down the road in Arnprior, we have the Arnprior and District Archives: a great collection exceptionally well organized and presented by Laurie Dougherty and others like Peter Hessel, who was instrumental in bringing about that Arnprior and District Archives collection, which among other things highlights the great lumber heritage of the Ottawa Valley—great stories.

I'm finding, as I'm sure all members are, that something seems to be happening. I think the member from Barrie just pointed out that we have this series running on national television, Canada: A People's History. There's a tremendous audience for that. I don't know whether it's this increasingly rootless suburban world that we now all seem to occupy that is making people wonder about their roots and their past. I simply want to support the member, congratulate him for bringing this forward; and I want to say in a very bi-partisan way to this Legislature that not only should we support our friend from Listowel, but we should know this: we have a fabulous collection in an absolutely appalling location. We have done precious little to highlight that collection for its social or its economic value. I think in supporting our friend from Listowel we should collectively try to do something about that.

**Mr Norm Miller (Parry Sound-Muskoka):** I rise today to join the debate on Bill 116, An Act to proclaim Archives Awareness Week, which was put forward by the member for Perth-Middlesex. I'd like to also take note of the fact that there's a school here from Burlington today—the John T. Tuck Public School—here in the gallery and welcome them to the Legislature.

Certainly, I know the Archives Association of Ontario has been instrumental in bringing forward this bill and supporting it. There has been an Archives Awareness Day the first Monday of each year, and this bill would extend that to a complete week. The day has been very successful in the past, and this would extend it to a week to raise awareness further of archives.

I rise today in support of this bill because I see an ever-increasing interest in our history. Over the past few years, countless books in Parry Sound-Muskoka have been written by authors such as John Macfie from the Parry Sound area. I have one of his books, *Logging Days in Parry Sound*. He's written several books. In fact, I ran into him at a Legion event about a month or so ago and he made me aware of his latest book, which I've got a copy of. Robert J. Boyer in Bracebridge, a well-known historian and former member of provincial parliament for

Muskoka, has written several books on the history of Bracebridge and the Muskoka area.

This interest has also brought about the refurbishing of some major pieces of our history; in particular in our area the Segwun steamship was relaunched in 1980 and continues to take thousands of people around the Muskoka lakes every year, running from the spring right through into the fall. More recently in Huntsville, a group of steam train and history enthusiasts brought back the Portage Flyer. The Portage Flyer is a narrow-gauge steam train that transported vacationers to Bigwin Inn of Lake of Bays, a whole mile-and-an-eighth-long run from Penn Lake to Lake of Bays from 1904 to 1958. The Flyer, which now runs out of Huntsville's Muskoka Heritage Place and was just recently brought back into service in the last couple of years, was the smallest commercial train in the world. I had a chance to ride it this summer when the Lieutenant Governor of Ontario visited Bracebridge and Huntsville and in fact went for a ride on the Flyer herself.

1150

In the west side of my riding, the Parry Sound fire hall, built in 1893, has been refurbished and attracts locals and tourists interested in the area's history.

Such projects cannot be accomplished without historically accurate information, information that is usually and sometimes only found in archives.

As much as such organizations turn to archives to help them re-create aspects of our history, individuals also turn to archives for their own heritage or the history of their possessions. At the annual Muskoka antique boat show, many of the launch owners love to show off their spectacular wooden launches. Without archives, much of the information having to do with those beautiful launches and boats would be lost, and that extra added dimension would be lost.

Right now in the West Parry Sound District Museum, which is a very active museum in the town of Parry Sound, you'll find an interesting exhibit about temperance and prohibition, something maybe some of the members of this House could learn something from. This exhibit has been researched and developed by the Peterborough Centennial Museum and Archives.

As the member for Perth-Middlesex has said, the Archives Association of Ontario is trying to raise awareness of archives and their role in our society. Passing this bill is one way we can offer our support to that endeavour.

I might add that in my area there seems to be certainly a lot of recent awareness to do with history and archives. In fact, tomorrow I have a meeting with Barbara Patterson, chair of the Muskoka Heritage Foundation archives task force, and also another meeting to do with history.

My time is running out, so I'd like to offer support to this bill. I'm sure it's going to be successful in raising awareness that can help generate support for archives.

**The Acting Speaker:** I would remind members of the gallery that we love to have you here with us, but you cannot participate in any way in the proceedings.

Response, the member for Perth-Middlesex.

**Mr Johnson:** I just wanted to express my appreciation for all those who have taken the time to express their opinion and enter the debate, and we should take those suggestions and ideas into consideration as this bill goes forward.

I did want to sum up my own feelings about the participation and the support for the bill. Yes, there is always need for more money in government programs to support such worthy projects as archives. I think the member from Renfrew makes a very good point when he points out that—here, for instance, we have students visiting us from different areas, including Burlington. They may take in a trip to the Royal Ontario Museum, which has a very good presence up on Queen's Park, up Avenue Road, so close that it can be taken into consideration for a school trip to this place. Our archives aren't in the type of facility that lends itself to that sort of trip, and maybe that's something that we, as legislators, should be looking at so that students, in the years to come, could visit the Archives of Ontario, in particular, when they come and visit places in Toronto like the CN Tower, the Science Centre and those other provincial landmarks in our midst.

I did want to thank all those who participated in the debate this morning.

**The Acting Speaker:** This completes the time allocated for dealing with ballot item number 32. At 12 o'clock noon I will place the questions related to these two ballot items.

**Mr Joseph Spina (Brampton Centre):** Mr Speaker, I wonder if I could ask unanimous consent that the questions be put forward now?

**The Acting Speaker:** The standing orders are quite clear. Because this is private members' business, this obviously is not a whip situation. The vote cannot take place before 12 o'clock noon.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** On a point of order, Mr Speaker: I'd like to engage the House and advise that the grade 5 students from John T. Tuck Public School are present in the House today from the great riding of Burlington.

**The Acting Speaker:** Thank you. As you know, that is not a point of order. They've been introduced now twice, and that's terrific. It was great fun to have them with us.

## CONGENITAL HEART DEFECTS AWARENESS DAY ACT, 2001

### LOI DE 2001 SUR LA JOURNÉE DE SENSIBILISATION

### À LA CARDIOPATHIE CONGÉNITALE

**The Acting Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 31. Mr Spina has moved second reading of Bill 117, An Act to proclaim Congenital Heart Defects Awareness Day. Is it the pleasure of the House that the motion carry? Carried.

**Mr Joseph Spina (Brampton Centre):** I thank all of the members of the House for supporting this. I would ask if the bill could be referred to the standing committee on finance and economic affairs.

**The Acting Speaker:** Mr Spina has asked that the bill be referred to the standing committee on finance and economic affairs. Agreed? Agreed.

#### ARCHIVES AWARENESS WEEK ACT, 2001

#### LOI DE 2001 SUR LA SEMAINE DE SENSIBILISATION AUX ARCHIVES

**The Acting Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 32. Mr Johnson has moved second reading of Bill 116, An Act to proclaim Archives Awareness Week. Is it the pleasure of the House that the motion carry? Carried.

**Mr Bert Johnson (Perth-Middlesex):** I request that the bill be referred to the standing committee on finance and economic affairs.

**The Acting Speaker:** Mr Johnson has asked that the bill be referred to the standing committee on finance and economic affairs. Agreed? Agreed.

All matters relating to private members' public business having been completed, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1201 to 1330.*

#### MEMBERS' STATEMENTS

#### PAYMENTS FOR LOW-INCOME CHILDREN

**Mr Alvin Curling (Scarborough-Rouge River):** This government has been working on the backs of working-class people and the poor. The government continued to make a mockery of working-class people this week when they proposed to give \$100 back for each child in households making under \$35,000 a year. Tell me, now much money has this government taken from the people of the province?

Let me just quickly reflect. When they came into power, 22% was cut from the income of the poorest people in our province, rent control was completely dismantled and the squeegee kids were sent off the roads. The fact is that now the deathbed repentance comes. They're giving \$100 to poor people, hoping they can buy these votes.

Speaking to the poor outside, they said to me, "I can see through this government. They gave away all this money before to their richest and best friends and now are giving this token \$100 hoping it is going to kick-start the economy." Can you imagine, \$100 for a poor family will kick-start this economy? The people are seeing through this. This deathbed repentance will come home

to roost one of these days when we have the election and we have Dalton McGuinty and a good team of Liberals running this government.

#### VOLUNTEERS

**Ms Marilyn Mushinski (Scarborough Centre):** Several weeks ago I had the privilege of attending the Scarborough support services volunteer recognition night. Scarborough Support Services for the Elderly Inc is a non-profit agency whose mission is to initiate and implement programs and services that improve the quality of life for the elderly, disabled and/or chronically ill adults in their efforts to remain independent in their own homes in Scarborough. Their goals are to encourage and support the ethnic provider agencies; to work together to allow for easy access to programs and services that will benefit their community; to work with service providers and funders to ensure that policy changes are sensitive to their client and staff needs; and to continue to encourage corporations, schools, service clubs and religious organizations to work with agencies to maintain the volunteer spirit in the community.

The work and commitment that the volunteers have shown to this organization is simply outstanding. They help with Meals on Wheels, snow removal, grass cutting and homemaking, just as a few of the things they do.

It's important to take the time to say thank you to these outstanding people and the outstanding service all of them have provided to my community which has made Scarborough a better place to live, work and play.

#### REMEMBRANCE DAY

**Mr Dwight Duncan (Windsor-St Clair):** This weekend, I know all members will be participating on Sunday in the laying of wreaths at cenotaphs throughout Ontario as we commemorate Remembrance Day, and later today we will have an opportunity to reflect more on that.

I wanted to report to you that on Sunday I will be attending at the cenotaph in Windsor. I will be attending Branch 12, the Paul Martin branch of the Royal Canadian Legion. I'll be laying a wreath at the Riverside branch in the great town of Riverside as well as the Colonel Poisson branch in Tecumseth. I will join with our entire community in not only remembering those who gave their lives in World War II, but I wanted to take an opportunity today to pay tribute to the Royal Canadian Legion and all they do not only in our province but right across the country—a remarkable contribution in so many spheres of activity.

In our community, the list of their contributions and good works goes on and on and on, whether it be for poor kids or capital infrastructure projects. I really think all of us should reflect on the Legion and what it does for our home communities and for the people in them.

Today I wanted to pay special tribute to the ladies' auxiliary in zone A1, the zone of the Royal Canadian Legion in the Windsor area. Ina Whitson, Esther Robin-

son, Marion Kawala and a number of other ladies do just a terrific job on behalf of the ladies' auxiliary of the Royal Canadian Legion in our area. As always, I look forward to joining with them as we remember those who gave their lives for us. I want to pay special tribute to all of them for what they do every day in our community.

### DIWALI

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Next Wednesday, November 14, Ontario's South Asian community will celebrate Diwali, the festival of lights. Over 1 billion people throughout the world celebrate Diwali. India, Guyana, Trinidad and Tobago, Malaysia and Fiji will also join in the festivities.

We celebrate the end of the harvest season and the Hindu New Year. In preparation for Diwali, prayers are offered to Lakshmi, the Goddess of Wealth, and to Lord Ganesh. Lamps called deeyas are lit in every home. Sweets are prepared and shared among family and friends.

The festival marks the return of Lord Rama to his kingdom of Ayodhya after 14 years in exile. Diwali also commemorates the many triumphs of the gurus in the proud history of the Sikh faith. As well, it marks the return of guru Hargobind Ji to the city of Amritsar after his release from captivity of the Mughal ruler Jahangir.

Diwali is a central event in the calendar of the South Asian community and a vital part of our heritage. I hope all members of this House will join in supporting my Bill 98, proclaiming South Asian Heritage Month for the hundreds of thousands of members of my proud community.

Namaste. Happy Diwali to all.

### POLICE OFFICERS

**Mr Rick Bartolucci (Sudbury):** As Remembrance Day approaches, it is appropriate that we pause and reflect on the profound selflessness and courage that many Canadians have demonstrated through the years in the course of their duty to preserve the rights and freedoms we enjoy. To put oneself in danger to protect our society, our laws and our values as Canadian citizens is an act we can never repay, but we can always remember and honour those special men and women. It is with this in mind, and in keeping with my new private member's bill entitled the Highway Memorials for Fallen Police Officers Act, that I honour the lives of another group of heroes: our protectors, our law enforcement officials.

It is shocking that since 1903, over 200 Ontario police officers have been killed in the line of duty while working to preserve our rights, our freedoms and our safety, police officers like Constable Joe MacDonald and Sergeant Rick McDonald, both from Sudbury, Sergeant Margaret Eve and Constable James McFadden from Chatham-Kent, Detective Constable Bill Hancox from Toronto, Senior Police Constable Thomas Coffin from

Midland, and Constable Michael Gula from Niagara Falls.

It is to honour these people and all police officers who have died while on duty that I introduced my private member's bill. I urge the Ontario government to pass it quickly. As citizens of this great country and this wonderful province, we must never forget those police officers who have given their lives while attempting to safeguard ours. We must never forget.

### REMEMBRANCE DAY

**Mrs Julia Munro (York North):** It is a privilege to speak today about one of my constituents, Sutton resident Mr Ed O'Connor, a veteran of World War II and an author. He has written a book called *The Corvette Years*. This is Mr O'Connor's first attempt at writing a book. He was surprised and flattered when his book was mentioned in Pierre Berton's new book, *Marching as to War*.

O'Connor recalls in his book that the corvette was one of the toughest ships ever built and a difficult ship to sail in. He served aboard the HMCS Morden. O'Connor's ship was involved in an incredible rescue effort. The liner SS *Winnipeg II* was torpedoed and sunk by a German submarine. The small corvette picked up 194 survivors along with the 70 crew members. The ship was bulging at the seams. Some survivors were injured in the blast. A doctor, also a survivor, worked with those other survivors for three days without sleep. It took four days to reach Newfoundland in a wicked gale.

The surviving shipmates still stay in touch. The last surviving corvette, the HMCS Sackville, is now a memorial in Halifax.

Sunday is Remembrance Day. I want to thank you, Ed O'Connor, a veteran who has left a legacy so that we will always remember those who served and particularly remember those who gave their lives for their country and for our freedom.

1340

### GOVERNMENT POLICY

**Mr Ernie Parsons (Prince Edward-Hastings):** This is useful lesson number three for the 50 or so leadership candidates across the aisle. I would ask that you pass my comments on to Mr Eves because he's not here.

I continue to read with fascination the Blueprint, Mike Harris's plan to keep Ontario on the right track. I do notice the tracks have been diverging a little bit over the past couple of weeks, but nevertheless I realize that you have done a substantial number of initiatives that are great stuff that aren't in the book and I want to give you credit for them.

You people increased the northern travel allowance. Oh, just a minute, that was Dalton McGuinty and the Ontario Liberals who caused that to happen. You only did it because we were right.

You passed legislation about the Oak Ridges moraine. Great stuff, except that it was Dalton McGuinty and the Ontario Liberals who caused that to happen. You only did it because you knew we were right.

You want to protect children from prostitution. Great effort, but it was Dalton McGuinty and the Ontario Liberals who initiated that bill. You did it, again, only because we were right.

The families of the victims of OC Transpo: That happened only because Dalton McGuinty and the Ontario Liberals made you do it, because we were right. It wasn't in the book. It wasn't your idea.

Replica guns: you laughed when a private member's bill was introduced on replica guns. You subsequently passed it because you knew we were right.

Now do the next thing: approve funding for macular degeneration, because you know we are right.

### LABOUR DISPUTE

**Mr Peter Kormos (Niagara Centre):** For almost five months now, 20 weeks, workers at Kennedy House Youth Services in Uxbridge have been locked out by the employer, the largest maximum security jail for young offenders in this province. Today I join these workers, members of OPSEU local 361. They're here with us in the Legislature today at a rally where they demanded that this government start to take action to bring about a fair settlement and end this lockout by the employer.

This is just one more example of what a sham this government's propaganda campaign around young offenders really is. When it comes to actually taking responsibility for locking up dangerous young offenders, the government has privatized the operation, given away the farms and given away the store to private sector operators and then stood aside while Kennedy House demands mind-boggling concessions and then locks out these workers.

In fact, you should know that communities across southern Ontario have been put at great risk because young offenders from this maximum security facility have been transferred to, among other things, open security facilities.

Kennedy is still receiving its money from the province, the taxpayers are being gouged and these workers are left out to dry. All these women and men want is a fair settlement. It's time today for the government to face up to its responsibilities. Intervene, take action and do the right thing for once.

### REMEMBRANCE DAY

**Mrs Margaret Marland (Mississauga South):** I believe that this year Remembrance Day will have a different impact on many more millions of people around this world. It is because every Remembrance Day we talk about the great World Wars I and II, the wars since and

the wars that are always continuing, particularly in the Middle East. Now we have added to the wars the most heinous enemy ever, that being the enemy of terrorism and the terrorists who take part in that.

I will be at the service of the Royal Canadian Legion's Branch 82 at the cenotaph in Port Credit on Sunday the 11th. It will be with great pride that I stand there thinking about all the brave men and women who continue to sacrifice their lives in the protection of freedom and democracy. I will also be thinking about my own father, who died on February 4, 1945, just three months before the end of the war. He served in the Royal Navy out of Britain.

Then, when I come home from that service on Sunday, I will be returning to my own husband, who served for five years overseas. He was born in Prince Albert, Saskatchewan, joined at the age of 18 and returned to Canada when he was 23. He landed in Europe on D-Day plus nine and is one of those modest veterans typical of so many with whom we uphold our love, our pride and our gratitude.

### VISITORS

**The Speaker (Hon Gary Carr):** Just before we continue, I'd like to bring to the members' attention in the members' west gallery Mr Walt Elliot, the member for Halton North in the 34th Parliament. Please join me in welcoming our former colleague.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'd like to draw the members of the Legislative Assembly's attention to two special guests from the great riding of Ancaster-Dundas-Flamborough-Aldershot who are here today: Mr Don Johnson and Mr Erin Kersten. They're here on a study tour of Ontario democracy.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON ESTIMATES

**Mr Alvin Curling (Scarborough-Rouge River):** I beg leave to present the report from the standing committee on estimates.

**Clerk at the Table (Mr Todd Decker):** Mr Curling from the standing committee on estimates reports the following resolutions:

Resolved, that supply in the following amounts and to defray the expenses of the following ministries and offices be granted to Her Majesty for the fiscal year ending March 31, 2002.

**Interjection:** Dispense.

**The Speaker (Hon Gary Carr):** Dispense. Thank you.

## INTRODUCTION OF BILLS

### INTERJURISDICTIONAL SUPPORT ORDERS ACT, 2001

#### LOI DE 2001 SUR LES ORDONNANCES ALIMENTAIRES D'EXÉCUTION RÉCIPROQUE

Mr Young moved first reading of the following bill:

Bill 131, An Act to facilitate the making, recognition and variation of interjurisdictional support orders / Projet de loi 131, Loi visant à faciliter le prononcé, la reconnaissance et la modification des ordonnances alimentaires d'exécution réciproque.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The Attorney General for a short statement?

**Hon David Young (Attorney General, minister responsible for native affairs):** Mr Speaker, with your permission, I'd prefer to make a statement during ministers' statements period.

### PEOPLE'S ACCESS TO THE FACTS ACT, 2001

#### LOI DE 2001 SUR L'ACCÈS DU PUBLIC AUX FAITS

Mr Wood moved first reading of the following bill:

Bill 132, An Act to amend the Public Inquiries Act / Projet de loi 132, Loi modifiant la Loi sur les enquêtes publiques.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Bob Wood (London West):** The short title of this bill is People's Access to the Facts Act. It amends the Public Inquiries Act to allow any member of the Legislative Assembly to propose a resolution to set up an inquiry into any matter that the act allows. The resolution either designates one or more persons who are to conduct the inquiry or requires the Speaker of the Assembly or the Lieutenant Governor in council to appoint them. The assembly is required to vote on the resolution within 60 sessional days after it's proposed.

This in effect gives the Legislature itself the same power to call inquiries as the cabinet now has. Surely this power should rest in the hands of all the elected representatives of the people. Democracy and transparency do work.

1350

### OPTOMETRY AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LES OPTOMÉTRISTES

Mr Kormos moved first reading of the following bill:

Bill 133, An Act to amend the Optometry Act, 1991 / Projet de loi 133, Loi modifiant la Loi de 1991 sur les optométristes.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**Mr Peter Kormos (Niagara Centre):** This bill amends the Optometry Act, 1991, to allow optometrists to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases.

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: I'm very interested in the member for London West's bill. I seek unanimous consent of the House that upon printing of the bill, it immediately be given second and third reading consideration some time when the House next meets.

**The Speaker:** Unanimous consent? I'm afraid I heard some noes.

## VISITORS

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** I'd like to recognize in the gallery representatives of Nikkei Heritage Day, Japanese Canadians of this province, who are here today: Grace Omoto, Betty Moritsugu and Frank Moritsugu.

**Mr John O'Toole (Durham):** I ask members of the House to recognize my son Erin and his lovely wife Rebecca, who are visiting from Halifax.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I believe we have unanimous agreement among the House leaders to have the order for third reading of Bill 14, An Act to encourage awareness of the need for the early detection and treatment of brain tumours, immediately called and decided upon without further debate.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

### BRAIN TUMOUR AWARENESS MONTH ACT, 2001

#### LOI DE 2001 SUR LE MOIS DE LA SENSIBILISATION AUX TUMEURS CÉRÉBRALES

Mr Wood moved third reading of the following bill:

Bill 14, An Act to encourage awareness of the need for the early detection and treatment of brain tumours / Projet de loi 14, Loi visant à favoriser la sensibilisation à la nécessité du dépistage et du traitement précoces des tumeurs cérébrales.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Mr Bob Wood (London West):** Mr Speaker, I would like to thank all members of the House for their co-operation in passing this bill. This bill is going to save lives both here in Ontario and, I think, throughout Canada. Thank you to all.

**The Speaker:** I thank the member for that kind gesture.

#### REMEMBRANCE DAY

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I believe we have unanimous consent for each party to speak for about five minutes on Remembrance Day and then have a moment of silence.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

**Hon Mr Jackson:** Thank you very much, Mr Speaker and honourable members.

More than 80 years ago, from 1914 to 1918, our nation sent 425,000 soldiers overseas to fight in the First World War. Those Canadians—students, brothers, husbands and sons—went overseas to fight for a just cause and for democratic freedoms. These young men fought in a series of costly and bloody battles, and by the end of the First World War more than 69,000 Canadian troops had died and 172,000 were wounded. They died fighting at Vimy Ridge, Hill 70, Bourlon Wood, Mons, Passchendaele and Ypres. In that final battle, our Canadian soldiers were exposed to German gas attacks, yet continued to fight. They showed amazing tenacity and undaunted courage in the face of this terrible peril.

Today, there are fewer than 500 Canadian veterans of the First World War still alive. This Sunday, at the 11th hour of the 11th day of the 11th month, marking the moment in 1918 when fighting in the First World War stopped, we as Canadians are asked to pause and remember the sacrifices of those thousands of men who left their homes, their families and their friends and died fighting for the cause of freedom.

On Sunday, let us also be extremely grateful to the more than one million men and women from Canada and Newfoundland who served in the Army, the Air Force and the Navy in combat during the Second World War from 1939 to 1945. Let us also remember the more than 47,000 Canadian men and women who died and did not return from their battle for freedom. Canadians lost their lives fighting in Dieppe, in Normandy, the north Atlantic, defending Hong Kong, during the liberation of Italy and many other important campaigns in the air, on the sea and on land. This Sunday let us remember those fallen soldiers.

Let us never forget the 516 Canadian soldiers who died in the Korean War almost 50 years ago. The battles of Hill 355 and Hill 187, among others, saw Canadians fighting through swamps and rice fields, through torrential rains and snow.

I have a deep and personal awareness of the sacrifices made by Canadian veterans. In my family, my father and four uncles signed up to serve their country in wartime. Five went overseas and four returned. Growing up, I took immense interest in trying to understand what happened to my father and to my uncles as I listened to their stories of that war. I remember how hard it was for me to listen to my father, knowing that he enlisted at age 17, barely half way through high school, and exposed himself to such peril at such a young age. These were very young men and women.

For many of today's generation of young men and women, hearing first-hand accounts about the great sacrifices made by great Canadians is all too rare an occurrence. For that reason, and thanks to the efforts of the Dominion Institute of Canada and this government's Ministry of Citizenship, over 50,000 students across Ontario over the next three years will get the rare privilege of hearing a veteran recall in detail the hardships encountered while serving our nation overseas. Through our Memory Project these students will hear about the battles that were fought across the oceans, about the friendships that were built in times of war and about the bittersweet joy of being able to return home when many friends and comrades did not. It is fitting too that students should be the ones who hear these inspiring stories, as the soldiers were quite literally the same age as they are when they journeyed overseas to war.

Ultimately, many of these veterans will not be physically able to tell their stories in schools. The average age of our Second World War veterans today is 79, and our Korean War veterans average 72 years of age.

The government realizes that many of our veterans need special care. That is why our government was pleased to improve the accessibility of long-term-care services for veterans in Ontario. We were fortunate to work co-operatively with Veterans Affairs Canada. Our province has earmarked a total of 250 long-term-care beds as veterans' priority access beds. This was a first for Canada and started here in Ontario. We started in northern Ontario and, because of the success of our pilot project, we expanded across Ontario. Now a total of 81 facilities have priority access beds, including 29 facilities with 100 priority access beds in northern Ontario.

Our government continues to work in partnership with Veterans Affairs Canada on behalf of Ontario veterans. Our one-stop-shopping pilot project for veterans in London, Middlesex and Grey has resulted in better, more streamlined service for veterans, who would otherwise have to deal with a number of different departments and a number of different governments. It's been very well received, and we want to thank Veterans Affairs Canada, which continues to work closely with the province of Ontario.

When any of us pause beside a war memorial, the names we read are representative of a silent library of lost lifetimes. Each name is a young Canadian whose hopes and dreams were cut short by the ultimate sacrifice made on our nation's behalf.

1400

This Sunday, once again our veterans who came home will shine their shoes, put on their medal-embazoned blazers and go on parade in tribute to their fallen comrades. Those who can still march do, and those who are now too frail will watch and wish they could join the ranks. Whenever the veterans march, we are filled with admiration. As a member of Branch 60, Royal Canadian Legion, in Burlington, I will join our veterans with pride, with admiration and reverence.

We must honour our veterans' memory, we must protect the freedoms they fought and died for, and we must remember them. As a new generation, as legislators, as protectors of our democratic heritage, we must remember the immortal words of Lieutenant Colonel John McCrae:

To you from failing hands we throw  
The torch; be yours to hold it high.  
If ye break faith with us who die  
We shall not sleep, though poppies grow  
In Flanders Fields.

**Mr James J. Bradley (St Catharines):** In a legislative body which, by its very nature, is partisan and often confrontational, there is an occasion when partisanship is set aside and consensus is easily reached. That occasion is the last sessional day before Remembrance Day, when members of the Legislative Assembly pause together to remember those Canadians who made the supreme sacrifice: the sacrifice of their lives in a war fought to defend freedom and democracy.

Over the years, there have been moving tributes paid to those whose memory we honour as a nation on November 11, tributes delivered with eloquence, passion and emotion by those who served in our armed forces in times of war.

Far better than we, who did not experience military service on a personal basis, some members of the Legislative Assembly, themselves veterans of conflicts around the world, shared with us and with those who have access to the deliberations of this House the horrors of war and the immense sacrifices made by those who fought in defence of our way of life.

What is often forgotten, as we march alongside veterans of the wars, is that so many of these men and women were very young when they entered the service of their country in the war effort overseas, and far too many did not return home to their loved ones or have the opportunity to live lives filled with all the experiences that are available to those of us who are beneficiaries of their sacrifice.

One of the most moving moments at the cenotaphs across our country is the laying of the wreath by the Silver Cross Mother who has seen her loved one or loved ones depart for wars in foreign lands and not return. One wonders what memories pass through their minds as they move, often haltingly and almost always with assistance, toward the war memorial in their community to lay this wreath which carries so much significance.

War is all too often glorified and indeed mischaracterized in popular movies. The depiction of events bears little resemblance to the realities of the battlefield, for in reality our veterans will tell us the days were grim, the conflict so very often hard and the damage inflicted, both on the body and the mind, often irreparable.

While it is the dead we honour in Remembrance Day services, our thoughts are also with those who returned from action, sometimes scarred both physically and psychologically by the ravages of war. The tears that appear in the eyes of veterans whose memories recall all too vividly the loss of friends, the destruction of homes and the ugly wounds of conflict are understood by all of us.

As the lines of marching veterans thin from age, infirmity and death, we who remain must assume a special obligation to remember. In his poem, *In Flanders Fields*, John McCrae refers to the passing of the torch to those who succeed our fallen comrades, and most assuredly we must all, young and old, take up the challenge of those who made the supreme sacrifice on our behalf.

While the focus on remembrance and reflection is, as it should be, on November 11, it is essential that we who enjoy the benefits of democracy for which our veterans fought and died honour them throughout the year.

The Royal Canadian Legion and other veterans' organizations across our land need our support more than ever to maintain their efforts to preserve Remembrance Day as an occasion for all Canadians to remember the sacrifices made in World War I, World War II, the Korean War and other conflicts in which our armed forces have been involved.

They need our support as well to ensure our veterans are treated with dignity, respect, generosity and compassion in their senior years as battle scars on the body and mind begin to take their toll on their lives.

It is said that in communities in the Netherlands, France and other countries where Canadians liberated people from their oppressors, to this very day the children, grandchildren and great-grandchildren of those who had the yoke of occupation lifted by our Canadian forces remember and pay tribute to our fellow Canadians for the sacrifice made so very long ago.

When we see members of the Royal Canadian Legion, when we see those who served so that we might enjoy the democratic freedoms that are ours today, when we see these individuals often shivering in the cold winds of November, poppy box in hand, let us stop to say thank you and let us join in two minutes of silent remembrance on November 11. Those who are no longer with us and those who returned from war should expect no less from all of us.

**Mr Peter Kormos (Niagara Centre):** I'm honoured to rise today on behalf of the New Democratic Party caucus to pay tribute to the millions of Canadian men and women who sacrificed so much during the most difficult years of war in Europe and in the Far East to restore peace and democracy to the western world, during the war, and yes, it was a war, in Korea—to call it anything

else is to deny the incredible harshness of it and the incredible toll it took on so many—and yes, Canadians during the course of the war in Vietnam, and subsequent to that Canadians as peacekeeping forces in so many parts of the world through to the present day.

My colleagues and I, like every one of you, attend Remembrance Day ceremonies in our communities. Last weekend I was in Pelham and attended that ceremony. I was in Welland. This weekend I'll be Thorold and in Merriton. My colleagues from the north similarly, over the course of two weekends, will be visiting as many communities as they can in their huge ridings.

I believe I speak for all of us when I say that we feel honoured to be able to stand silently in the presence of so many of our distinguished veterans—veterans of our Canadian air forces, naval forces, military forces and merchant marine.

We look into these aging faces, calm and reflective, and we wonder what horrors the eyes of these women and men have witnessed. Sadly, with each passing year, there are fewer and fewer of these brave men and women remaining to tell their stories. We know there are many stories to tell, stories that have been passed on through children and grandchildren and great-grandchildren so that we might never forget the incredible and terrible reality of war.

I was reminded only recently right here in this building that some of the faces belonging to our war heroes are less visible. Take a look, friends, if you will, just outside the door to this chamber and read the plaque on the wall. It reads, "In honour and memory of the coloured men of number two Construction Battalion CEF who volunteered their services and lost their lives in the Great War 1914-19." It makes one stop and reflect and realize that Canadians of every colour, every ethnicity, place of national origin and religion have been a part of the Canadian war effort. In fact, one of the members of that very same number two Construction Battalion, Rev William White, is the grandfather of a valued member of our caucus staff.

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Rev White kept a diary of his experience as a chaplain. The recent CBC documentary *Honour Before Glory* recounted the discrimination White and his fellow black soldiers suffered and were forced to overcome in order to serve their own country.

There were others like Rev White: First Nations soldiers like the Albertan Cree code transmitter Charles "Checker" Tomkins, who sent out radio messages containing vital information on Allied aircraft movements using his native language, his native tongue—a code, so it seemed to the Germans, that the German High Command was never able to crack.

Canada's diversity, its incredibly rich and strong diversity, was proudly represented among the ranks of soldiers who fought fascism and overcame it in the name of democracy and who engaged in other military efforts as Canadian military and merchant mariners.

But the war involved far more than just the military, far more than just service people. Men, women and children at home were called upon to work, and they did, in the factories and on farms, to donate blood and to nurse the wounded back to health, to provide needed supplies like tin and animal bones for making glycerine and glue. They did all of these things selflessly and energetically, praying for the day that their loved ones would return safely home from battle. Many of those loved ones never did.

So Remembrance Day, November 11, is an opportunity, one opportunity every year, to pay tribute to the sacrifices of these incredibly brave, selfless and committed men and women—inevitably young men and women. Don't forget, it's old women and men who declare wars; it's young women and men who fight them. These incredibly brave, courageous young women and men committed themselves to preserving the principles of democracy and freedom that we cherish today.

Remembrance is something that we ought to do every day, not just one day a year, because if we ever let that past escape us, if we ever leave it permanently behind us, if history slips from our view, from our sight, we run the terrible risk of repeating it.

And just as on Remembrance Day we're called upon, rightly so, to remember those who made the supreme sacrifice, to remember the fallen, let's reflect on the fact that as we remember the fallen, we have too often forgotten those who have returned: the wounded, the scarred, the maimed. If we are to truly pay tribute to the fallen, then we must commit ourselves to ensuring that those veterans who return, and who continue to return to this very day, are treated with decency and dignity, especially in their senior years as they become increasingly vulnerable. We had better be prepared as Canadians and as taxpayers to make the necessary investments so that those veterans of the First and Second World Wars and those veterans of every war and every Canadian military action since then, are cared for adequately after their return to their own country.

And just as we remember the fallen, let's remember those who serve today. Again, if we're to pay tribute to the fallen, to those who have made the supreme sacrifice, let's commit ourselves as Canadians, yes, and as taxpayers to ensuring that members of our armed forces of the year 2001 receive adequate salaries so that their families can live in some modest level of decency, so that the children needn't be reared in poverty as is the current case with most of the membership of our armed forces. Let's ensure that our armed forces, if they're to be called upon to perform dangerous and challenging tasks—and they have been—have the tools and the resources to do that job effectively, efficiently and as safely as possible.

What an insult it is to those who have made the ultimate sacrifice, those fallen soldiers, what an insult it is to them to send their grandchildren and great-grandchildren into contexts and into venues of great danger without the equipment to do the job they're called upon to do.

I believe Remembrance Day has special meaning this year. Most of us in this chamber haven't lived through war as some do. There are only vague memories of struggles very far removed. We need this day to remind ourselves that our hold on freedom and democracy is very tenuous and that the attack on that freedom and democracy can be external or indeed it can be internal.

In the spirit of honouring those who have died, those young women and men who over the course of decades and centuries have made the supreme sacrifice, let's call upon ourselves as Canadians to ensure that the freedoms, the fundamental rights and liberties that service people have fought for over the course of generations and decades are not surrendered up by ourselves in our zeal to somehow want to hunt down a foe from within when the very assessment of the presence of that foe is motivated and part of the purpose of the attack upon us.

Let us be very careful when we as proud Canadians wave our flag that we do not wave it in such a way that we surrender any of the liberties, fundamental rights and freedoms that Canadians have and that every person who sets foot on Canadian soil has by virtue of setting foot on Canadian soil.

I say now is not the time to create new enemies, hence new victims, among ethnic minorities—it never has been and never should be—among people who seek to start new lives in this country, recognizing the incredible risk and the incredible hazards and the incredible courage that people muster to bring their families as refugees and other forms of immigrants to this country.

Let's understand that so many of those same people, with their families, who seek residency in this country, who want to become a part of the Canadian community and Canadian society and who want to bring their uniqueness and their rich cultural and ethnic backgrounds to this country, are the same sort of new Canadians who fought in World War I, who fought in World War II, who fought in Korea and who have fought and struggled and participated in peacekeeping efforts since the war in Vietnam.

These are trying times for so many people. We have not learned yet how to live peacefully with one another, but that is our task, isn't it? That's our never-ending task, to remember and to work together to realize peace in our world. I refer to the Hebrew prophet Isaiah and his prediction that one day the nations "shall beat their swords into ploughshares and their spears into pruning hooks." None shall lift up their sword against another and they shall learn war no more.

I know I speak for all New Democrats and I hope and I believe that I speak for all Canadians when I say that we all share this dream. Let us commit ourselves to realizing it in our world today.

**The Speaker:** I would ask all members and our friends in the gallery to please join with us in a moment of silence.

*The House observed a moment's silence.*

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## STATEMENTS BY THE MINISTRY AND RESPONSES

### INTERJURISDICTIONAL SUPPORT ORDERS

**Hon David Young (Attorney General, minister responsible for native affairs):** Protecting Ontario's children is a priority for the Mike Harris government. We have taken a number of steps to keep our children safe and to make sure they receive the support they are entitled to. Earlier this year, Christopher's Law was proclaimed, creating Canada's only sex offender registry. This law protects children and vulnerable adults by requiring sex offenders to register with their local police service.

It is disappointing that the federal government has not followed our lead. It is disappointing that they have not established a national sex offender registry. The federal government's lack of appropriate action on this issue is preventing the police from coast to coast from using the most technologically advanced weapon to combat sex offenders. We have also urged the federal government to quickly pass legislation to make the luring of children through the Internet an offence. Swift action is required. It's essential to shut down child pornography Web sites and to stop cyber predators who use the Internet to lure children.

In the spring, our government introduced legislation that would rescue children from prostitution and other forms of sexual exploitation. If passed, it will allow the province to sue pimps and others who sexually exploit children to recover the costs of treating their victims.

The legislation I introduced a few minutes ago will take further steps to protect Ontario's children. The Interjurisdictional Support Orders Act will make it easier and less costly for families to register, establish and vary support orders when parents live in different jurisdictions across Canada. These changes will also affect spousal support. We want to ensure that children and families get the money to which they are entitled. We believe that no child should ever go without simply because one parent has left the province.

This legislation, if passed, would streamline the process for obtaining and varying an interjurisdictional support order. For example, the complex two-stage hearing process that exists under the current legislation would be replaced by a single hearing process. Under a single hearing process, persons seeking to establish or vary a support order would complete the application package, which would be sent to the reciprocating jurisdiction for a support determination. What this means is that a hearing would only need to be held in the receiving jurisdiction. If the legislation passes, it would no longer be necessary for a further hearing or court proceeding to be held in the originating jurisdiction. We believe that simplifying the process makes sense for the families involved.

The proposed act would recognize the challenges presented by an increasingly mobile population by allowing for greater coordination among provinces and territories. The proposed legislation would replace the Reciprocal Enforcement of Support Orders Act, which governs support cases when one party lives outside of Ontario. Under the current legislation, Ontario has agreements with all Canadian provinces and most states in the US. We also have agreements with many other countries to register, establish and vary support orders when the parties are living in different jurisdictions. I want to emphasize that those agreements will continue under the proposed legislation.

As of August 2001, there were 7,203 support orders being enforced in other jurisdictions where the recipient resides in Ontario. Ontario enforces 5,404 support orders where the payer resides in Ontario and the recipient resides in another jurisdiction.

At the recent annual Premiers' conference, Premier Harris and other provincial leaders committed to introducing uniform inter-jurisdictional support order legislation by next summer. Premier Harris and his colleagues recognize the importance of governments working together to ensure healthy and prosperous futures for our children. That's why we are calling on the federal government to enact parallel legislation by amending the federal Divorce Act by next summer. This measure would streamline the process for establishing or changing support orders issued under federal rather than provincial law.

Ontario is doing its part to help families and children obtain or vary support orders in the most streamlined and least costly manner possible. The legislation I've introduced today is further proof of our commitment to children. We are committed to ensuring the well-being of every child in Ontario. We are committed to ensuring that all of our children have a chance for a better and brighter future.

**Mr Ernie Parsons (Prince Edward-Hastings):** Certainly our initial reaction over here is to applaud this move. It is overdue. We decry the fact that deadbeat parents can escape Ontario. However, we need to see the actual details in the bill before we can fully support it, because experience has shown that sometimes the problem is in the details.

I hope, though, that when the Premier was discussing this issue with the other Premiers he made them aware that the difficulty in this entire thing is that this province is a weak link when it comes to support orders. I quote the auditor, a neutral individual. The auditor has indicated that for the Family Responsibility Office here in Ontario, approximately 128,000 of 170,000 registered cases were in arrears as of March 21, 1999; 75% of the cases in Ontario are in arrears. Absolutely shocking. Arrears that are owing amount to \$1.2 billion dollars. The auditor noted "that when the payers went into arrears, the office did not have a satisfactory system of initiating contact and taking the appropriate enforcement action."

Now that's intriguing to me, because when the Toronto Star wishes to track down someone who's in

arrears and do a story on him, as they have, it takes them an hour or two to locate the individual somewhere in the US and actually have an interview with them. Yet our government has been unable to track them down, not because we have incompetent staff but because we have insufficient staff to truly go and make the difference. When we've done the massive cutting of civil servants, all too often it has been women and children who have paid the price for those cuts.

It says that when the account goes into arrears, "more aggressive enforcement measures, such as driver's licence or passport suspension, bank account garnishment or a default hearing were seldom pursued." Your own FRO in fact fails to calculate interest on the money owing to the families. In five years, the caseload increased by 35% while staff levels, after having been reduced in 1997, have remained at the 1994 level.

Now, I know each and every one of you on a regular basis receive phone calls from single mothers who do not have the money owing to them by the court support order. On this side, we return the calls. If you were to return your calls, what you would find out is that from the time the court order is issued it can take up to 14 months before that order gets put into the computer system and they start to collect the money. In the meantime, in those 14 months, we have the vast majority of the single parents, being women, and their children forced to go to welfare to fund buying groceries and paying rent while they wait for your red tape to chew through the court order.

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That may be OK with you because the municipalities are stuck paying part of that cost and so it's not a total problem for you. But these families who are on welfare only because of your failure and inability to collect on support orders are not even going to get the \$100 for Christmas that you promised. You promised it to low-income children, but to your government the children of families on welfare are not real Ontarians. I can tell you that they eat real food, they need real shelter, they have real dreams and they are entitled to a real future. But they do not list anywhere in your concerns.

So when you tell me you're worried about children, I can only look at your actions and say you carefully select to whom you will pay the \$100. Some children don't exist in this province. We have a province that has gone from almost no breakfast clubs in schools in 1995 to boards having over half their schools providing basic food in the morning. Eating is not a privilege in this province; eating is a right. You are failing to deliver on that right for the children.

You continue to attack parents. The average single female parent in Ontario has an income of about \$16,000 a year—disgraceful. They soldier on with no support, no care and no concern from this government.

If this will help to collect from deadbeat dads, that's great. But warn the other provinces that to this stage you don't have a system that works. You've had six years and you've messed up a system that worked before. You should be ashamed.

**Mr Peter Kormos (Niagara Centre):** First I should indicate to the Attorney General that staff from the AG's bureaucracy met with me a couple of days ago and briefed me on the proposed legislation, and I'm grateful for that. We had a candid exchange, and I appreciated the opportunity to discuss this legislation, not in its literal context but in terms of what was intended, before it was introduced.

I understand the motivation behind the legislation, and we respect the fact that this is an effort to harmonize reciprocal enforcement across the country from one province to the next and into the territories. Of course its success is very much contingent on other provinces following suit. We take some heart from the fact that the province of Manitoba has already dealt with similar legislation. So Manitoba would be a partner, should this legislation pass.

We also understood very clearly that the goal to be achieved was acceleration of the judgment. Prior to this legislation, the status quo was that a provisional order is obtained in the originating province and submitted to the responding province, where yet another hearing takes place. The delay, as we were told by staff from the Ministry of the Attorney General, is the time it takes for a matter to proceed through the family court system, even for a provisional order.

While the legislation may well be something of a remedy in that regard, it also speaks clearly to the fact that our family courts—the court most people seeking child custody, seeking support orders for themselves or for their kids, dealing with issues of access and visitation, the courts that most people have to access for those purposes—are incredibly backlogged, which means that justice is increasingly delayed to all litigants participating in that court.

The bill regrettably does not, will not—I suppose the Attorney General will have an opportunity to address this during second reading debate, committee and third reading debate. The bill is one that should be put out to committee so that people in family law practice can comment on the status quo and on what is necessary to improve the speed with which a support order can be obtained. But the bill doesn't deal with the fact that the current access to family law practitioners, family lawyers, for people of low and modest incomes, or no income, is virtually non-existent. The unavailability of and inaccessibility to family law clinics or private practitioners by most family litigants puts them in a position where they have to litigate themselves, which increases or aggravates the amount of delay those people encounter and does nothing to improve the quality of orders that are rendered or administered by provincial court family division judges.

I was shocked—and again I can't chastise the Attorney General for the inefficiency and complete lack of any meaningful improvement in the Family Responsibility Office, because of course the Ministry of the Attorney General has dumped that dog on to the Ministry of Community and Social Services. In fact, FRO complaints

remain the number one complaint for most of our constituency offices. Almost six years later, this government still hasn't got it right: files lost; files not attended to; delinquent payers running around highly visible, their identity and location being disclosed to the FRO, their employer being identified to the FRO, and the FRO either unwilling or incapable of utilizing the actual enforcement techniques by way of accessing the pay, which is a relatively simple process, or the punitive techniques including suspension of drivers' licences.

I recall that announcement by that Attorney General, now long gone, and the promise that that was going to make meaningful impact. It has had zero impact.

The effort of the Attorney General to clothe this as somehow part of a program to protect children is naive. Indeed, one doubts that it can be said with any candour by the Attorney General when in fact this government's record with respect to kids is pretty pathetic and pitiful: the abandonment of children when it comes to safe, healthy and decent daycare facilities—childcare facilities for those children—which results in thousands of children being denied childcare and thousands of others being put into unregulated and potentially unsafe, indeed dangerous, childcare contexts.

The record of this government with respect to victims and children of victims remains equally pathetic. Neither of those things permits the Attorney General to make the claims he makes today.

#### ORDER OF BUSINESS

**Mr Tony Martin (Sault Ste Marie):** Mr Speaker, I rise today on a point of order related to standing orders 1(b) and 69(a).

Late yesterday evening the NDP caucus staff were informed of the government's plan to call second reading debate of Bill 125, the Ontarians with Disabilities Act, under orders of the day this afternoon. While there is no obligation on the part of the government to advise the opposition parties of House business in advance, it is a courtesy they have regularly extended to us in order to facilitate the democratic functioning of this House. I believe there are two strong procedural reasons why you should not allow the government to call Bill 125 this afternoon.

I would like to point out that their decision to call Bill 125 today contravenes standing order 69(a), which clearly states that "a bill shall not be called until the bill has been printed and distributed and marked PRINTED on the Orders and Notices paper." This requirement has not been met, and so I respectfully ask that you not allow debate to proceed on Bill 125 this afternoon.

Mr Speaker, I would also like to draw your attention to standing order 1(b) as it relates to my greater concern about how quickly the government has moved to debate Bill 125. I refer specifically to the provision in the standing order that respects the democratic rights of members as they relate to motions, resolutions and bills for the consideration of the assembly.

For years this government has been promising people with disabilities in Ontario that they would be consulted—

**The Speaker (Hon Gary Carr):** Order. Let me interrupt the member right there on the point of order.

I have had an opportunity to look at the point of order. The rest of what he is doing is debate.

Let me say very clearly I take points of order very seriously; I have since the beginning. But unfortunately on some occasions members have used points of order to debate in this House. I have copies of what he's going to say, and clearly pages 2 and 3 are debate. If I allow that, what happens is other members begin to take it up.

By bending over backwards and allowing points of order in the past—in fact, what you're doing here today on pages 2 and 3 is nothing more than debate. You have opportunities at question period and you have opportunities in ministerial statements as well as during the debate on the bill.

I must say very clearly to all members that I have been lenient in that regard, and some members—and unfortunately it's the member who is up right now—have abused that, and I cannot tolerate any more. I'm going to be quick to stand up on points of order when they relate to debate on all sides and stop members from proceeding when in fact it turns into debate.

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On the two points that you have made, let me say very clearly it is not a point of order. I would refer to Speaker Warner's ruling on July 7, 1993. The bill has been printed and distributed. With regard to having been reprinted on the Orders and Notices paper, Speaker Warner's ruling of July 7 said that it's not a point of order that the House has proceeded with a bill that has not been marked "reprinted" as long as the bill has been in fact printed and distributed, which it has in this case.

The second point that the member was making in terms of democratic rights and so on was plain and simply nothing more than debate; it is not a point of order. I must say, as the bill did relate to the Legislative Assembly, and the staff have had an opportunity to read it because it does relate to the Legislative Assembly, the bill is in fact in order.

Again I would say to all members, if you're going to make a point of order, I would appreciate it if it would be relative to some of the proceedings in here and not start to slide a little bit into debate. There are plenty of opportunities for all members to debate in here. By being lenient, I have allowed some members extra debate, and I will no longer allow that.

With that, it is not a point of order.

## ORAL QUESTIONS

### GOVERNMENT POLICY

**Mr Gerry Phillips (Scarborough-Agincourt):** To the Deputy Premier, it goes without saying that Ontario

faces an extremely uncertain condition today and is looking for very steady leadership. On October 16, the government acted quite decisively. The Premier decided that day to step down, and since then we've been into a leadership race in the Conservative Party and will be for the next three or four months.

The problem is that we are getting confusing signals from the government about policy direction. Yesterday, Deputy, you indicated, I think, that no one can run deficits in the province of Ontario these days, but the Minister of Health, at the Ontario Hospital Association convention, told the hospitals they can run deficits. Recognizing that the hospitals are in a very challenging position right now, trying to figure their budgets out, whom should they listen to: you or the Minister of Health?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The policy of the government is clear: that we expect all of our public sector partners to be accountable. It's absolutely essential, particularly in a time of economic slowdown. As I made clear to the House the other day in the fall economic statement, we are in a time of significant economic slowdown, compounded by the unanticipated tragedies of September 11.

The Minister of Health was making clear, of course, to the Ontario Hospital Association, which shares our concern about the failure of the federal government to be full partners in health care funding, that in the absence of a multi-year funding commitment, we're going to have to work together through the fall, through the pre-budget consultations, and I anticipate that the Minister of Health will be coming forth with recommendations, as other ministers do, with respect to hospital budgeting, as well as budgeting in the other areas of health care.

**Mr Phillips:** Listen, the hospitals have to have an answer from the government. They are right now trying to figure out their budgets. Right now they're making decisions on whether to cut services or not. The Deputy Premier said yesterday, "No, you can't run a deficit." What the Minister of Health said to them was, "It would be patently absurd and unjust to demand of the hospitals that they live within a hard cap"—patently absurd; your position.

So I simply say to you, clarify for the hospitals, because right now they are running deficits. They want to know, can they run a deficit this year or not? Should they agree with Mr Flaherty or Mr Clement? Who's right on this one?

**Hon Mr Flaherty:** Certainly the member opposite is wrong. What we're talking about here are deficits in the current fiscal year. Many hospitals are doing fine this current fiscal year. We had additional funding for hospitals, if the member was paying attention, during the summer of \$300 million. We have capital projects going on at hospitals all around the province of Ontario, pursuant to the directions of the restructuring commission.

The concern of course is that over the years the culture has grown up among some of the hospitals of creating deficits in-year and of the provincial government coming

up with funds toward the end of every fiscal year to assist them.

During the current fiscal year, there will be a balanced budget. We will be able to deal with the needs of the hospitals as we move forward, but we have to watch the budgeting for next year, not only with the hospitals but with all of our broader public sector partners. It's essential that we have accountability among all of our broader public sector partners. I would have thought the member opposite would understand that.

**Mr Phillips:** What I understand is that the Minister of Health said they can run deficits and you said they couldn't. That was crystal clear. I still haven't been given an answer.

I'll go on. Yesterday the Minister of Health said he took a proposal to cabinet but cabinet deferred a decision. So the Minister of Health went to cabinet with the proposal for hospital funding, and you, or you and your cabinet colleagues, decided you would not approve that.

I say this to you, Minister: we are getting conflicting signals from your government. One minister says one thing, another minister says another thing. We are in a very difficult period of time. The Premier has decided for his own reasons that he is going to step down. We have at least another four months of the leadership race, with at least several of you involved in it. What assurances can you give the people of Ontario, and what do you plan to do to ensure that these leadership squabbles do not get in the way of good policy development for the people of Ontario?

**Hon Mr Flaherty:** Hospitals know they must be accountable. Indeed, the Ontario Hospital Association has indicated its willingness to be accountable repeatedly this year. They had additional financing needs earlier this year. We came up with another \$300 million for our hospitals. There's record funding for hospitals in the province of Ontario this year.

What we all agree on, though, the Ontario Hospital Association and all of the members on this side of the House—I know you don't agree with this—is that insufficient funding by your friends in Ottawa has resulted in shortages in health funding. The president of the Ontario Hospital Association told that to Senator Kirby and his committee. You should read Senator Kirby's report. You'll learn something about health care and about the view of the Ontario Hospital Association, which is shared, quite frankly, by health ministers, by finance ministers, by the Premiers of our provinces.

It's sad that the only group in Canada that doesn't seem to understand the importance of this shortfall to the people of Ontario are you—

**The Speaker (Hon Gary Carr):** New question?

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Minister, you delivered a loud, clear and devastating message to community boards across this province yesterday. You said, "Don't speak out for the people you serve. Don't

challenge this government. Just keep quiet. Do what we tell you or else we'll get rid of you." That's exactly the message that you sent yesterday to the community boards that have been struggling to provide home care under your government's restricted budget. You just wiped them out.

You are replacing community representatives elected in their home communities with people whom you appoint, people guaranteed to keep quiet if they want to keep their jobs. You're getting rid of them, Minister. There's no other way to describe this. Their only sin was to tell their communities about the cutbacks in home care that you had forced on them.

Minister, your press release from yesterday says that you are strengthening the community care access centres. Can you tell us today, how does taking over these community boards help to strengthen them?

**Hon Tony Clement (Minister of Health and Long-Term Care):** To the associate minister of health.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** As we all know in this House, as we improved accountability in the CCACs in Ontario, we've focused on ensuring that there were standards and benchmarks that the association and the CCACs had asked us for. We made plans so that CCACs would be able to service the people they serve for years into the future. We ensured that there was a viable community network in health care. We have a council that now speaks between the hospitals, the community care access centres, the community support services and the long-term-care facilities, linkages that we've been working on for a number of years. This is good news for community services in the province of Ontario.

**Mrs McLeod:** Minister, all you have done here is silence the community advocates who dared to tell you that they needed \$175 million to meet the most basic needs of the people who need home care.

You are going to make sure—that's what this bill does—that no one gets on a board who isn't prepared to do your bidding. In fact, you've written their orders into your law. You've said, "Each corporation shall comply with all directions issued by the minister." You are going to appoint the executive directors. They will have to keep quiet and do as you tell them to do because you have the power to fire them at any point. You've put that into this law too.

1450

We have waited five years for legislation that would set standards for home care. There are no standards here. There's absolutely nothing here that gives people any more care. You didn't need to take over these boards in order to provide better care to patients. If you seriously wanted to improve care, you would have brought in standards for care; you would have provided funding to meet these standards. Tell us, Minister, how does this hostile takeover solve the problem of the \$175 million in deficits that home care agencies are facing today?

**Hon Mrs Johns:** Let me say first that the goal of yesterday was to ensure that service is strengthened for the people of Ontario, ensure that we have stronger

community services for the people of Ontario. We did a lot of work in the review to ensure that we knew the weaknesses in the system. When the review was done by PricewaterhouseCoopers and then the operational review was done in Hamilton, it told us that many of the CCACs didn't have expertise in the financial area. By making OIC appointments, we can ensure that boards have the quality of services they need, the people with the expertise to ensure that we have CEOs who have the expertise to be able to provide a multi-million-dollar budget—in fact, in Ontario a \$1-billion budget.

The speaker opposite seems to imply that none of the people on the board now will be on the board later, and that's just false.

**Mrs McLeod:** My supplementary is redirected to the Minister of Health because this minister's doing to home care agencies exactly what he is planning to do to Cancer Care Ontario. Minister, you are silencing your critics. You are taking away the ability of community representatives to tell you and to tell the public the truth about health care in Ontario. You are doing exactly what you did when you were unable to solve the crisis in emergency rooms. You buried the issue to take the public pressure off your government, you hid the reality of emergency room backlogs, you're going to hide the reality of waiting lists for cancer care treatment, and now you're going to take control of the people who dared to say that your inadequate funding of home care is leaving the sick, the vulnerable and mostly the elderly without the care they need.

Minister, you aren't bringing in standards for home care. You aren't providing more funding for more care. Now that you have taken complete control, will you tell us exactly what you are going to do to actually improve care for patients: the elderly, the sick and the vulnerable?

**Hon Mrs Johns:** Let me first say that the members opposite would have us believe that somehow the budgets of both of these organizations, CCO and the CCACs, haven't increased. The CCAC budgets across the province have increased 72% over the last five years. The CCO budget has increased by some 50%. Let's put all of that aside and talk about the reality that happened yesterday.

Yesterday, the Mike Harris government decided that we had to have standards and benchmarks to protect a very important part of community services. Yesterday we decided that there were 43 organizations across the province that were providing a couple of million dollars in services and there wasn't enough accountability; there wasn't enough financial expertise. We're going to take board members who can provide those services, move them into this new organization, and we're going to strengthen community services because that's what good, quality health care is all about.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Citizenship. Yesterday,

Minister, you boasted that your bill is good legislation. Now that they've had time to read the fine print, this is what the Ontarians with Disabilities Act Committee says: "Is your bill consistent with the 11 principles unanimously agreed to in this Legislature?" Their answer: "No." "Does the bill achieve the barrier-free society you set out in your own vision statement?" Their answer: "No." "Is this the 'strong and effective' law this Legislature unanimously called for by resolution on November 23, 1999?" Their answer: "No." So the question is this: how can you boast about a bill that the disabilities act committee now describes as "most inadequate"?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I believe the member opposite is reading comments from David Lepofsky, a lawyer for the Attorney General's office for the province of Ontario, who is the chair of ODAC. I have significant numbers of comments from ODAC committee members who have indicated their full support for this legislation.

Just this morning I received a notice from the Variety Village children's charity where they said, "This is great news for our disabled children and youth who will now have a better chance of being fuller participants in Ontario's society as they grow up." This is "a big step forward in the right direction." They had great compliments for the province and have confidence that the disability agenda in this province will be secured in this legislation which, incidentally, you'll have a great opportunity to help pass, hopefully before the end of this year.

**Mr Hampton:** I have no doubt that you can get some testament from somewhere, from someone who hasn't read the legislation. I'm talking about a committee that has now had the time to sit down and read your legislation and they describe it as "most inadequate." In fact, they say you're trying to take them for a ride. As they point out, this bill lets the private sector off the hook completely. This bill does not take down any of the existing barriers. This bill, in terms of the broader public sector, only calls for plans, and without any money and without any resources they know that those plans will be completely meaningless. To add insult to injury, you're not even making the debate about this bill fully accessible to those people who make the point to you that it's all about accessibility.

So, Minister, why do you show such respect for those people who have been leading the disability community and who have tried to work with you?

**Hon Mr Jackson:** The record of this government's consultation with the disabilities community is well documented. In fact, earlier this week we issued a policy paper that contains a significant number of endorsements from the disabilities community. They understand fully that what previous governments have failed to do in this province is to acknowledge that it's not the able-bodied people who should be deciding and determining what the standards are; it should be the disabled individuals themselves. For the first time in Canadian history, this legislation empowers them to assist in making the regulations and the guidelines, guidelines that didn't exist in this

province for the five years of the Liberals, guidelines and standards that didn't exist in the five and a half years that you were the government, but guidelines and standards that will exist in Ontario thanks to the government of Mike Harris.

**Mr Hampton:** Minister, it's your government that promised this legislation. It's your government that said you were going to live by the 11 principles. It's your vision statement that said you were actually going to do these things, not just bring in a plan, not just create another process. What is really infuriating for those people who have worked so long and so hard on this is that they now have asked you to commit to province-wide public hearings so that this bill that you boast about can in fact be examined in community after community. If they find it inadequate, which they do, they can then put forward amendments.

Let us test your willingness to work with this community. Will you commit to province-wide extended public hearings so that all those people out there who need to be able to read the fine print and respond will be able to do so?

**Hon Mr Jackson:** I've indicated on behalf of the government on several occasions in the House our willingness and our commitment to put this bill out as soon as possible. It would appear that your own member for Sault Ste Marie wanted to interfere with that process earlier today when he was trying to stop the debate on second reading which would facilitate more public hearings, which would facilitate more access for the disabled community to participate in the discussions on this bill and to offer their suggestions and amendments, which this government is willing to look at. Your own member sought to short-circuit that process, to delay and stall it.

I say to the member from the third party that quite frankly we haven't seen anything from when you were in power, in government. We haven't seen one recommendation from your side of the House as to how you would change things. The disabilities community knows that for the first time in Ontario's history they will be able to set guidelines, set time frames for compliance and look at the issue of what penalties will be imposed for non-compliance. This is a first for the disabled community and it's a first that this government is very proud of.

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#### COMMUNITY CARE ACCESS CENTRES

**Ms Shelley Martel (Nickel Belt):** I have a question for the associate minister of health. Your CCAC legislation, which you introduced yesterday, is really designed to shut down criticism of your government's current underfunding of home care in this province. Your government is now going to appoint all the board members of all CCACs, where currently one third of them come from the community, are consumers of home care or are caregivers of those who use home care. Your government is also going to appoint all the executive directors, a

move that is unprecedented in terms of health care delivery organizations. You certainly can control what an executive director says when you control their hiring or firing.

Minister, why don't you just admit that your move to appoint all the board members and all the executive directors of the CCACs is really designed to gain control over these organizations so that no one else will criticize your underfunding of home care services?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to suggest to the member opposite that every member who sits on the board after we make OIC appointments will come from the community they represent. Let me say that right now I'm not going to put anybody from Toronto on the Huron CCAC board and I'm not going to put anyone from Ottawa on the Huron CCAC board; I guarantee you that every member of an OIC-appointed board in Huron will be from Huron.

**Ms Martel:** Minister, one third of the board members now are consumers of home care or are caregivers of those consumers who use home care, and there is no requirement under your legislation to provide for the same. Not only are you trying to gain control over all the appointments, but you're also gaining control over every bit of information that will now be released by community care access centres.

Under section 18 ministers will continue to provide annual reports to the public, which are now provided by CCACs, but the minister also has discretion and "may make available any such other information ... as he or she considers to be necessary in the public interest." I bet it won't be in the public interest according to you, Minister, to release the waiting list for services or to release the in-year deficits of CCACs and how many services and people will have to be cut. Isn't it true that your attempt to control all the information that will now be released by CCACs is really your attempt to make sure that no negative information about your current underfunding of home care will ever get to the public?

**Hon Mrs Johns:** I've never heard such a ridiculous statement. Let me say that the government has made a commitment to community services and CCACs across the province. We've increased funding. The Association of Community Care Access Centres asked the government to provide a number of things—standards, benchmarks—for the association to be able to ensure they had a better way of communicating with each other, and we have done that.

In fact, the association thanked me for that in a press release this morning by saying that they commit to work closely with the ministry and that they were encouraged by the government's proposal to recognize community care access centres formally in a statute. I want to reconfirm for all the CCACs out there that we intend to improve the standards across the province, that we intend to continue to strengthen community services. Many of the board members who are on the board now will be on the board afterwards. Many of the CEOs who are there will—

**The Speaker (Hon Gary Carr):** Order. The associate minister's time is up.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of Health. I finally have a copy of the scoping document of the London Health Sciences Centre. Contrary to what Minister Cunningham claimed in the House this week, "This is confidential to the members, including Mr Peters," this document had never been provided to me as a representative of London, and after reading it, I can understand why. This describes in detail your mandated scoping exercise: 14 cluster planning teams and 217 medical experts were asked to make recommendations on cutbacks because you told them to decrease their budgets. More importantly, it details which services were not recommended by the experts and were further scoped out by this so-called steering committee.

These are the very programs that surgeons, patients, families and those on this side of the Legislature have begged you not to cut—nine additional programs. Minister, why, with total disregard for the medical experts, are you continuing to jeopardize the health care of patients and families in southwestern Ontario?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Let me assure this House that it is quite the opposite. We are not jeopardizing, we are protecting. We want the best clinical outcomes. We want people to emerge from London hospital alive rather than the alternative. I'm saying that because I'm hoping that is his motive as well, because quite frankly we've had this situation in this House and outside this House where the member opposite and his leader are taking to politics on an issue that should be about life and death and better-quality outcomes for our patients.

That is what we're focused on. We have funded the hospital with that in mind. That's why their base funding increased since 1998-99 by 25%, why it was up 29% in terms of total funding, why they've received more than \$2.2 million of new medical equipment and why they continue to be a priority because of the priority programs they deliver. That will continue. But we want to have the best results. We want our public, and especially our children, to have the best quality care possible.

**Mr Peters:** I guess doctors are wrong, you're right and politics has nothing to do with your telling the London Health Sciences Centre to find \$17 million in cuts. That's politics, Mr Minister.

Your experts haven't listened to the real experts in the hospital because this is what you're cutting: cardiac transplant, cardiac arrhythmia, pediatric cardiac surgery, pediatric cranio-facial and endovascular aneurysm. But worse yet, do you know what this document shows? That these cuts were decided on September 4, 2001, a full month before the public was made aware of these cuts. You knew back then. You all sat back. You knew it was wrong and you did nothing.

I want all the people in southwestern Ontario to listen to some of the things said in this scoping document and what you're allowing to happen: "...the cascading effect may result in other issues ... the ability to recruit to support remaining services," and "a key interdependency with the scope ... is the viability of the pediatric critical care unit and ... neonatology," and "Further diminish our reputation as a comprehensive, pioneering academic centre."

Minister, you've been found out. You know exactly what you're doing to the people of southwestern Ontario with this silly scope. The time has come for you to come clean. Again, why are you abandoning the families and the patients of southwestern Ontario in allowing these cuts to take place, and putting the lives of children and families at risk because you're forcing these cuts and you're cutting the budget of this hospital?

**Hon Mr Clement:** I am quite shocked and surprised at the member's allegations. He knows as well as I do that the deputy chief coroner of the province of Ontario, who does not report to me and does not answer to me, has done an investigation that calls into question the clinical outcomes in the hospital. He seems determined to protect programs that have killed people in a way in which the deputy coroner is concerned.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. The member has asked the question and I've yelled for order. Sorry, Minister, for the interruption.

**Hon Mr Clement:** If anyone in this House is doing something politically motivated that could have an impact on the future health and safety of the people of Ontario, it is you and your leader, and you should be ashamed of yourself. You should apologize to the people in London and to the people of Ontario or get out of this House because you are not being responsible. You are not doing your job.

#### DURHAM REGIONAL CANCER CENTRE

**Mr Jerry J. Ouellette (Oshawa):** My question is to the Minister of Health. Before I get to that, I'd like to compliment the staff and students of R.S. McLaughlin Collegiate for the really emotional Remembrance Day service they had this morning.

Minister, I have a question with regard to how we've heard for quite some time regarding the plans for the construction of the cancer centre at the Lakeridge Health Corp Oshawa site. Although the public doesn't really know it, the current hospital operation and the cancer centre are essentially two separate issues. We're hearing about work stoppages, the papers are involved and council's involved. Minister, could you please share with the constituents of Oshawa updated information from your ministry on what's taking place at the new cancer centre?

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**Hon Tony Clement (Minister of Health and Long-Term Care):** I'd be happy to do that—and I thank the

honourable member for the question—because our government is committed to overseeing the implementation of the directions by the Health Services Restructuring Commission, specifically at the Oshawa site of the Lakeridge Health Corp. One of these is the completion of the Durham Regional Cancer Centre.

I'm pleased to confirm and announce that this government has committed a maximum grant of \$34.2 million to the building of the regional cancer centre in Durham; and \$11.5 of this commitment has already flowed to the hospital. Although cancer centres generally take four years to construct, we have provided in this particular case \$3.5 million in one-time funding to facilitate an early start-up for the people of Durham and for the Durham Regional Cancer Centre. This will allow us to have the early hiring of staff and advance the development of the program quite significantly. I want the honourable member to know I'm working with both Cancer Care Ontario and Lakeridge to ensure the centre is completed on time and within the approved projected costs.

**Mr Ouellette:** Thank you, Minister, for that answer. We're still getting a lot of questions—I get a lot of calls—from the foundation's president, Chuck Powers, as well as a lot of other members, and they deal a lot with the timelines regarding the cancer centre coming on-line. Can you tell us, is the cancer centre on-line for the 2003 opening?

**Hon Mr Clement:** I thank the honourable member for the supplementary. We are on time. The centre has a scheduled opening date of the fall of 2003. In fact, this cancer centre will operate up to 10 hours a day Monday to Friday and will provide radiation treatment to more than 1,300 cancer patients annually. It will also provide chemotherapy on an outpatient basis and is designed to manage up to 65,000 outpatient visits per year. Once the cancer centre is open, the residents in Durham will receive cancer treatment within their community. This is a great example, yet again, of how the Mike Harris government is doing more and more to meet the health care needs of both Durham residents and Ontarians generally.

#### PAYMENTS FOR LOW-INCOME CHILDREN

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is for the Minister of Finance. Your plan to provide \$100 grants to low-income parents maliciously excludes the poorest children in our province. Like your clawback of the family tax credit, you deprive our poorest kids of their fair and just share of Ontario's wealth.

A media advisory today notes that you will visit Sears later today to hear about an enhancement to the \$100 cheques, but the real enhancement that we await, Minister, is the extension of these funds to where the greatest need is. Will you enhance your \$100 cheque program to include Ontario's most vulnerable children whom you've left behind?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The statement the member opposite just made is wrong. As you know, or should know, under the disabilities plan and under the social assistance plan, every November \$105 per child is advanced, usually for winter clothing. That \$105 is there every year.

What this addresses is something else. This is something that I heard about during the consultations for the fall economic statement, and that is, given the events of September 11 in particular in the tourism sector, in the hospitality sector, in the restaurant sector, mainly non-union jobs, hard-working people, many of them with children, are suffering reduced working hours; some of them are in danger of being laid off. This is the group that we targeted. I think you'd agree with me that it's important to be sensitive to the needs of those who are working but who are challenged because of the events of September 11. We're trying to address that.

**Mr Smitherman:** Minister, it's your suggestion that the status quo for the poorest kids in our province is all right that is perhaps the most sickening thing I've been forced to hear in this House. The member from Thornhill talks about country club welfare. The labour minister talks about Ontario's most generous welfare rates. But the fact of the matter is that you made a deliberate and conscious decision. When you had some money to give out to try and influence consumer spending and address those people with the greatest needs, you left the poorest children in our province behind. This suggestion that that \$105 a month is going to buy some kind of fur-lined coat is a ridiculous one.

Mr Minister, I give you one more chance to do the right and just thing on behalf of the poorest children in the province of Ontario, whom you have snubbed twice in a malicious and deliberate way so far. Will you extend and enhance the \$100 tax credit to the poorest children in our province?

**Hon Mr Flaherty:** The benefit already goes at the rate of \$105 to all children on welfare and disability, so I've already answered that.

The other part of it—I'm not surprised, I suppose, that the member for Rosedale is so out of touch. If he thinks that \$100 doesn't matter when you go to buy children's shoes, for example, it does matter; it makes a big difference for families in the province. You ought to go to one of our stores and see what things cost. You ought to go look and see what parents are faced with.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

**Hon Mr Flaherty:** These are expensive items. You ought to go see. You ought to get in touch with the cost of clothing for children in Ontario. I'm certainly familiar with it.

I want to tell you, Mr Speaker, I'm thrilled that some of our private companies in the province of Ontario are coming forward and saying not only is this a good idea, through the Retail Council of Canada, to have this \$100 benefit, to have this \$37-million stimulus, but also they're going to do even better than that and make it

worth more to parents with children in the province of Ontario.

### YOUNG OFFENDERS

**Mr Joseph Spina (Brampton Centre):** My question is for the Minister of Community and Social Services. Minister, earlier today the government announced its intention to transfer responsibility for all young offenders to the Ministry of Correctional Services. Currently young offenders between 12 and 15 are served by the Ministry of Community and Social Services—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order; stop the clock. The Minister of Labour and the member for Parkdale-High Park, please come to order.

**Hon Chris Stockwell (Minister of Labour):** Withdraw it, Gerard; withdraw it.

**Mr Dwight Duncan (Windsor-St Clair):** You're not the Speaker any more.

**Mrs Marie Bountrogianni (Hamilton Mountain):** You're not the Speaker, Stockwell.

**Hon Mr Stockwell:** You don't even know what he said.

**The Speaker:** Order. I didn't hear what was said. I was actually listening to the member who was asking the question, probably the only one in the House who was. Any member can withdraw. If anything was said on either side, I'm sure the members will want to withdraw it. Everybody in here would have heard what is said. If an honourable member wants to withdraw it and the members have heard it, I'm sure the honourable member will do that, but it is not the Speaker's place if he did not hear it.

Sorry for the interruption; I believe it was the member for Brampton Centre.

**Mr Spina:** Thank you, Speaker. May I start over?

**The Speaker:** The minister heard part. If you could just continue where you were.

**Mr Spina:** Thank you. The question is for the Minister of Community and Social Services. Earlier today, Minister, you announced the intention to transfer responsibility for young offenders to the Ministry of Correctional Services. Now, currently young offenders between 12 and 15 are served by the Ministry of Community and Social Services, while 16- and 17-year-olds are the responsibility of corrections. What's the reasoning behind this transfer and what will this mean for young offenders?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** What was announced was a change in reporting relationships. In fact, the announcement brings Ontario in line with provinces from coast to coast. Every other province in Canada does have a combined system for all young offenders aged 12 to 17.

What we hope to accomplish is a seamless system for young offenders and better integration of programs

geared to help these young individuals get their lives back on track. Consolidating services within one ministry we hope will allow us to achieve the best parts of both. Of course, children's mental health services and other child protection services would not be affected by such a change.

What we want to do is ensure that we spend every taxpayer's dollar wisely and well and do the very best job we can for young offenders in the province.

**Mr Spina:** Minister, I'm happy to hear that such a common sense decision has taken place. I guess what I'd like to know now is, what is the time frame that you're looking at to implement this transfer? More importantly, what are the processes to follow to make sure that it happens without the disruption of services?

**Hon Mr Baird:** I'd like to refer that to the Minister of Correctional Services.

**Hon Rob Sampson (Minister of Correctional Services):** Let me start off by saying that both ministries have established a transition team to help with the transition of phase one, the under-16-year-old young offenders, from Community and Social Services to corrections. So both ministries will be working through this transition and it's likely going to be phased in over the next year or so. It will take some time, because of course we want to make sure that as we do the transition, the services that are being delivered by both ministries stay as much intact as possible and as practical.

Having said that, of course, one of the advantages of the consolidation is it will be able to make sure that best practices are applied from both of the previous ministries into the combined service now being delivered by correctional services

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We will be watching that closely. The transition teams will be charged with that responsibility. We are hoping that in the end we will be able to take administrative dollars that are currently being spent by both ministries and provide that for front-line services to help these young offenders deal with their challenges.

### FOREST INDUSTRY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance. The Minister of Finance should know that Ontario's forest industry is in trouble. Layoffs are being announced almost daily: Tembec sawmill in Kirkland Lake, 88 layoffs; the Longlac hardwood mill, over 400 layoffs; and the Abitibi paper mill in Kenora, now looking at another over 400 layoffs. The 1,000 layoffs just this week are just the start of a very big problem. These communities are facing tough economic times. Your government needs to respond to these communities. What are you prepared to do to help the community after community that's facing these tough economic times and the thousands of potential layoffs that are waiting around the corner?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The Minister of Natural Resources.

**Hon John Snobelen (Minister of Natural Resources):** I thank the member opposite both for the question and for the concern. There obviously are some difficulties. The member opposite will know that there tend to be cycles inside of the industries he has mentioned. We are making every effort to ensure that our industry in Ontario is as competitive as anyone who services that industry in Canada. We've taken several strides forward in that regard. The recent forest accord, as you will know, helps us to help our companies in the forest industries in Ontario be more competitive. We have done several things that will help them market their products throughout North America.

**Mr Hampton:** I'm sure the communities can take that to the bank and do something with it.

Let me just give you an illustration. Yesterday, in Ottawa, the federal Minister of Foreign Trade, the Prime Minister and British Columbia's Minister of Forests all met with the United States envoy on the softwood lumber issue. They were all there to press the point that what the United States is doing is unfair to Canada's softwood lumber industry and unfair to Canada's forest industry generally. Can you tell us, Minister of Finance, were you there? Was the Minister of Natural Resources there? Are you setting up a meeting with the US envoy to point out how unfair their duties are? Are you going to Kirkland Lake to meet with laid-off workers? Are you going to cancel the \$2.5 billion in corporate tax cuts so you've actually got some money to address some of these real world problems in real communities with real workers who are being laid off? Are you doing anything like those kinds of initiatives?

**Hon Mr Snobelen:** Again, I thank the member opposite for the question. These are serious issues for this government and for the forest industry as a whole in Ontario and across Canada. Yes, we are monitoring the conversations that are taking place right now. Yes, I think it is very regrettable that the United States has chosen to once again use a very blunt instrument of trade which hurts people in the communities that the member opposite has mentioned. We are very active on that file and so obviously is the federal government, as this is a trade issue.

I can tell the member also, and he will be aware, that we have an economic diversification assistance program which will help communities across northern Ontario diversify and get into other industries. But first and foremost, we want to make sure that our forest industry in Ontario is second to none in the world and that we have the marketing opportunities that we need to keep those jobs.

#### ADULT LITERACY

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the finance minister. Last week the government announced this year's funding levels for Ontario's adult literacy and basic skills clients. What the government neglected to mention is that there was a cut-

back of half a million dollars since last year. I'm astounded that the Tory government has chosen literacy and basic skills programs as yet another target of their cost-cutting agenda, especially since this government itself acknowledged that such skills are an essential foundation for finding and keeping employment, for contributing to the economy and for contributing to the community. When nearly half of the students in grades 3 and 6 do not meet provincial standards for reading and writing, this government now chooses to shortchange the adults who need adult literacy training.

The bleak state of our economy has created an urgent need for Ontarians to improve their basic skills and therefore respond to economic pressures. I'd like to know from the finance minister why, at a time when Ontarians need them the most, is this government choosing to decrease funding for adult literacy programs when they are so obviously essential?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I'll refer this to the Minister of Community and Social Services.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Obviously literacy is an important skill for all people in the province of Ontario. We've made additional investments in education; we're bringing in a grade 10 literacy test. We're also undertaking a lot of initiatives to try to help people on social assistance and help others who need literacy training. I can tell the member opposite that Ontario Works offices will work closely with the Minister of Training, Colleges and Universities to do more to help address this challenge. We believe that we can do more.

Certainly we've spent a considerable amount of money within the social assistance realm. We'll bring additional resources to the table to try to do more to ensure that people can be able to read a job application, can be able to read the want ads section so they can make that important transition from welfare to work.

Obviously these new initiatives, whether it's a grade 10 test, whether it's additional education forums, whether it's the testing we're doing throughout the elementary school system and the work we'll do for people who need any help finding a job, demonstrate the commitment that we're bringing to the issue.

**Mrs Bountrogianni:** That's really poor. That is so poor. I have your sources, your numbers from 2000, from 2001, and to be exact, it's \$585,000 less spent this year on adult literacy programs. That sounded nice, Minister, but it didn't answer my question. The finance minister actually has the responsibility to answer this question. Not only is the funding to adult literacy cut—

*Interjection.*

**Mrs Bountrogianni:** I'm not speaking to you, Minister of Labour. Not only is funding to adult literacy and basic skills cut, but the number of clients requiring help has increased by 13,000. This means that the money is being spread more thinly across additional programs

under the deceptive pretext of being streamlined and more cost-efficient. We all know what this means: over-worked instructors and inadequately supported programs. You have no problems over there increasing partisan advertising and inflating cabinet costs. Why can't you restore the half million dollars that you cut—

**The Speaker (Hon Gary Carr):** Order. The member's time is up.

**Hon Mr Baird:** I heard a number of statements, and I know she didn't like my previous answer so I'm going to try to do better with this one.

In fact, since 1995-96 funding has been increased by more than \$5 million to support literacy programs in the province. We don't think that's enough. That's why this year we'll bring additional resources to the table through the employment supports budget of Ontario Works. We think we can do more to help people realize the dignity that comes with a job and the pride that comes with being independent. We know that lack of literacy and poor literacy skills can be a real barrier to someone being able to realize the benefits of moving from welfare to work. That's why we're bringing additional resources to the table. That's why we're continuing to expand our literacy testing program if people can't pass the basic literacy test already in the province of Ontario. Our first municipality, Peterborough, is up and running and doing literacy testing and referring people to literacy training programs so that they can get a job.

#### MINIMUM WAGE

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Labour. There's concern in the agricultural community in my riding of Northumberland—I might add, that concern has been there for some time—that your ministry might raise the minimum wage. They're concerned that they will be unable to hire the required labour because of such a possible increase. Even if they did hire at those increases, they feel that their crops would be uncompetitive with the neighbouring American states. Minister, are you or your ministry planning on raising the minimum wage in the province of Ontario?

**Hon Chris Stockwell (Minister of Labour):** The short answer is no, we're not planning to raise the minimum wage in the province of Ontario at this point in time, considering the tax cuts and also the situation with respect to the minimum wage in comparison to other jurisdictions that border on the province of Ontario and considering—

*Interjection.*

**Hon Mr Stockwell:** I won't say what your member says when people heckle—and considering what the other jurisdictions pay in the way of minimum wage.

We have to be competitive and fair. We're ranked fourth right now in the country with respect to the minimum wage. We consider that to be a reasonable amount of money. It's \$6.85 an hour. So I would tell the member for Northumberland to go back and tell his farmers that no, we have no plans to raise the minimum wage.

1530

**Mr Galt:** Thank you, Minister. On October 25, the United Church of Canada held a session here at Queen's Park to meet with MPPs. One of those representatives suggested the minimum wage should be pegged at \$12 an hour. He suggested that this would solve all of Ontario's social issues.

Minister, it's my understanding that the Ontario minimum wage will not increase until other jurisdictions have indeed caught up. Could you tell me whether other provinces and other adjoining states have in fact caught up to Ontario's level, and what would happen if we increased the minimum wage here in the province of Ontario?

**Hon Mr Stockwell:** Well, quickly, British Columbia did just recently raise their minimum wage to \$8 an hour, but there was a caveat included that the first 500 hours of work would be at \$6 an hour. So they did raise it on one hand, but it wasn't raised to any appreciable amount when you combine the two levels with respect to minimum wage.

No, most jurisdictions have not raised their minimum wage appreciably to the point that they surpass the province of Ontario. We are still ranked fourth as far as minimum wage in the country is concerned. It's a very generous program at \$6.85 compared to the other provinces.

What you also have to remember is there have been significant tax reductions for those people earning the minimum wage since 1995. A tax reduction to a person earning the minimum wage is like a raise. It's a significant amount of money that they get to spend on their own and that they didn't have earlier.

*Interjections.*

**Hon Mr Stockwell:** I'm sorry. The Liberals are heckling again. I thought they didn't do that. I apologize.

At \$6.85 an hour with the tax cuts and so on, they've had reasonable increases over time, so at this point we don't have any plans to raise the minimum wage.

*Interjection.*

**Hon Mr Stockwell:** I'd like to thank the member for Hamilton Mountain for continuing the heckling.

#### OAK RIDGES MORaine

**Mr Mike Colle (Eglinton-Lawrence):** A question for the Minister of Municipal Affairs. Mr Minister, in your Bill 122, I think it is, presenting the Oak Ridges moraine protection and conservation plan, which people have fought for, the one concern they've had is that this protection plan would be permanent and enduring and not changed at somebody's whim. What's really confusing to a lot of people I've talked to is that repeatedly in your legislation you allow for the plan to be revoked—that is, ripped up, torn apart—at any time by yourself, without public notice or input. In fact, if you look at page 3 of your plan and page 17, you again say, "The minister may, by regulation"—that means behind closed doors—"revoke the plan."

How can people have confidence the plan is permanent and enduring when you can rip this plan up at any time you want?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I want to thank the member from the opposition for the question.

I think he would agree that the Oak Ridges moraine conservation plan in the act that is before the Legislature is a great achievement. Their government knew about the problem when they were in power. They just studied it; they did nothing. The NDP knew about the problem but did nothing. We've come forward with a consensus. Now, there are a lot of details that will go to clause-by-clause in the committee, but I can tell you just in the general, the reason for the need to be able to change the plan from time to time isn't to affect any of the natural areas. Those can never be diminished in size upon review. But if, for example, new policies come out across the province around water, you would want that incorporated into the plan. If new technology comes on stream to enhance environmental protection, you'd want to incorporate that in the plan. So that's what's envisioned by that.

**Mr Colle:** I don't know if the minister understood. I ask the minister again. Look at page 3 and page 17 of your act. It doesn't talk about changes. It talks about the fact you have unilateral power at any time to basically rip up this plan; in other words, you can do this to the plan any time you want.

How can people have any faith that this is going to be enduring when you can throw this plan out behind closed doors, without consultation? It says here you have the power to revoke, which means get rid of, rip up. How can people think they're going to have this protection permanently? You can get rid of it at any time.

**Hon Mr Hodgson:** This bill will go through the House. The Liberals are against the Oak Ridges moraine protection plan. That's totally consistent with their environmental record. They'd rather just talk about it, stand up and do cheap photo stunts, rip up paper. When it comes to actual action to protect the environment, your party is nowhere to be seen.

## TOURISM

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Tourism, Culture and Recreation. Many businesses in my riding depend on tourism traffic for their livelihood. As you know, many of them have suffered a loss of business since September 11 as tourists, most notably Americans, cancelled or delayed their travel plans. I was very pleased to hear in Tuesday's economic statement that our government is investing \$10 million to boost Ontario's tourism industry. This will build on the \$4 million in reallocated funds you announced earlier this month, much to the pleasure of many people in my riding. Minister, can you explain how this new funding will help to bolster the tourism industry in Ontario?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I appreciate the member from Niagara

Falls's question. He's obviously a very keen supporter of the tourism industry, knowing first-hand the importance this brings to the economy of Niagara and the province of Ontario. He has obviously been a strong supporter, pressuring myself, the finance minister and cabinet for more funds for marketing. The member from Niagara Falls and the rest of the caucus were very pleased to receive the news on Tuesday that indeed there would be an increase in the tourism marketing budget of 10 million new dollars on top of the \$4 million we brought forward. In fact, this represents a doubling of the tourism marketing budget for Ontario. The goal here is certainly to get the message out to our friends across the border in the States and to Ontario consumers themselves that in Ontario there's more to discover. There are great things to see and do, and we're asking them to come out and explore the province and discover once again the great things to do in Ontario.

### *Interjection.*

**Mr Maves:** The member from Windsor-St Clair is complaining about your new marketing dollars. If he doesn't want them spent in his area of the province, I'd be happy to have his dollars spent additionally in Niagara.

We appreciate this new funding. We believe that it will go a long way to attracting visitors to Ontario. But as we all know, many travellers are hesitant about flying in the wake of September 11. We have seen the impacts this terrorist attack has had on Canada's airline industry. What impact will these new realities have on the development of your new marketing strategy?

**Hon Mr Hudak:** A very insightful question by the member from Niagara Falls. There's no doubt it's important for us to monitor the trends, the travel patterns and travel intentions, not only in Ontario but in potential jurisdictions from which travellers will come.

What we have found is that people still want to travel. They still want to have a weekend getaway, a break or a vacation this winter or this spring. What we have determined, though, is that they're moving away from long-haul air transportation and more toward short-haul car and bus traffic, also known as the rubber tire market. That's why our marketing goal is to target domestic consumers with a pride-in-Ontario campaign to encourage Ontarians to discover this great province, or re-discover it; and our friends across the border in New York, Michigan, Ohio and Pennsylvania to come and stay with friends, visit a winery in Niagara, go snowmobiling in northern Ontario or buy a ticket to see the Haida and experience—

### *Interjections.*

**The Speaker:** New question.

## NORTHERN TRANSPORTATION

**Mr Howard Hampton (Kenora-Rainy River):** In the absence of the Premier and the Deputy Premier, in the absence of the Minister of Transportation and the Minister of Northern Development and Mines, all of

whom should be able to answer this question, I'll have to ask the government House leader. Earlier this summer the Premier said that provincial funding for the Northlander train will stay in the north "if a more efficient way could be found to deliver the service." The chair of the Ontario Northland Transportation Commission received a plan last week, developed by northern residents, municipal representatives, unions and businesses, that set out just that.

Imagine how shocked they were on Tuesday to find that your government introduced a bill that would basically allow for the cutting off of those very services or the privatization of them. In other words, the bill does completely what the Premier said wasn't going to happen. Will you withdraw that bill or was the Premier's time is up.

**The Speaker (Hon Gary Carr):** The member's time is up.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I think, as the honourable member knows, the government's priority is very much to try and create a climate for economic growth and prosperity in northern Ontario. We recognize that efficient transportation has to be very much part of that, and that is what this government is moving forward with.

**Mr Hampton:** The contradiction couldn't be more complete. I quote the Premier that the provincial funding for the Northlander will stay in the north "if a more efficient way could be found to deliver the service." Then you introduce a bill that doesn't make any provision for that. It's simply a bill that allows for shutting down the service or selling the service—nothing to work with those residents, nothing to work with those communities that want to find a more efficient service.

You all seem to have a new concept of leadership which seems to be knifing the Premier's constituents before he's even gone. If you're going to honour the Premier's commitment, you must withdraw this bill. It's completely contrary to the commitment he made. Will you do that?

**Hon Mrs Ecker:** There certainly is understanding in the community that this is a good step toward providing the services that northern Ontario needs. For example, we have one of the union leaders up there who described this simply as enabling legislation, that this would assist us and allow the commission to make the business decisions they need to make, to carry them through, to make sure those decisions are made, not here in the inner cabinet at Queen's Park but where they need to be made.

So the goal here is to improve services for northern Ontario. It's an important infrastructure support to make sure they have the economic support they need in the north, and that remains the goal of this government.

1540

#### ACADEMIC TESTING

**Mr Gerard Kennedy (Parkdale-High Park):** To the Minister of Education: yesterday you tried to allege that you were getting some progress. Under your specific

time as minister, you've actually gotten almost no progress in terms of test results for elementary students in this province. I've heard from parents who heard about your answers yesterday and they want to know if you will be changing your program. It's not working.

Three years ago, there was a 5% average increase. Since then, it has gone down to 2%—two years in a row of only 2% average achievement. In the French students' sector it's down by 1% this year. We're going backwards under your watch.

Will you adopt the McGuinty plan for smaller class sizes, for better resources for teachers and our master teachers, for training and providing best programs under lighthouse schools? Will you start to do the things that the parents of this province want to be done and make those test scores something we can all be proud of and that you've made the best effort to support?

**Hon Janet Ecker (Minister of Education, Government House Leader):** The honourable member asked this question yesterday and we said to him, "Yes, we believe there need to be more resources targeted to our early reading initiatives." That's why we invested over \$70 million last year. Yet again the honourable member's research is faulty, to say the least. We specifically targeted \$70 million for kindergarten to grade 3. On top of that was another \$24 million for the Ontario early reading strategy, which supports the schools that are having the most difficulty raising the results, and over \$100 million for smaller class sizes in earlier grades.

He keeps on dumping on the teachers who are out there trying so hard to do a better job for our students. He thinks that increases from 43% to 61% aren't significant. On this side of the House, that is a tangible improvement. It needs to be recognized. We need to continue to put supports in place, and that's what this government is doing.

#### LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** Just before we begin petitions, if we could, I believe this is the last day for the pages. All members would like to wish them well in their endeavours.

*Applause.*

#### PETITIONS

##### CRUELTY TO ANIMALS

**Mr James J. Bradley (St Catharines):** I have a petition that reads as follows:

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation" as proposed by MPP Mike Colle for Eglinton-Lawrence "that outlaws puppy mills and other cruel animal breeding activities and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I agree with this petition that supports Mike Colle's bill, and I sign my signature to it.

**The Speaker (Hon Gary Carr):** If we could stop the clock for the government House leader for the order next week.

#### BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Speaker, my apologies. The business of the House for, I guess not next week, the week after. Pursuant to standing order 55, I have a statement of business of the House for the week of November 19.

Monday afternoon we will continue debate on Bill 110; Monday evening we will continue debate on Bill 125.

Tuesday afternoon will be a Liberal opposition day; Tuesday evening we will continue debate on Bill 125.

Wednesday afternoon's business is still to be determined; Wednesday evening we will begin debate on Bill 127.

Thursday morning, during private members' business, we will discuss ballot item number 33, standing in the name of Mrs Munro, and ballot item number 34, standing in the name of Mr Gill; and Thursday afternoon we will continue debate on Bill 127.

#### PERSONAL NEEDS ALLOWANCE

**Mr David Christopherson (Hamilton West):** I have a petition from my home town of Hamilton. It reads as follows:

"Whereas individuals who are tenants or residents in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

"Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental

costs such as clothing, hygiene products and other essentials;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately review and amend provincial legislation to increase the personal needs allowance from \$112 a month to \$160 a month for individuals living in care homes, nursing homes or other domiciliary hostels."

Speaker, I'm proud to give this petition to Emily Baker from my riding of Hamilton West. Her grandparents are here today, Helen and Irving Baker. Let me tell you that Emily has done an excellent job on behalf of all the members.

#### CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I'm pleased to affix my signature to this petition.

#### MUNICIPAL RESTRUCTURING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times, be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario:

"Immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in

Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

Mr Speaker, as you'll appreciate, this is a substantial petition, signed by many residents of Lindsay, Omemee, Bobcaygeon, Fenelon Falls and other areas of the county. 1550

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I'm reading petitions on my adoption Bill 77. It reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; and replace mandatory reunion counselling with optional counselling."

I will affix my signature to this petition.

#### CRUELTY TO ANIMALS

**Mr Carl DeFaria (Mississauga East):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment that they inflict on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I affix my signature to this petition.

**Mr Mike Colle (Eglinton-Lawrence):** I have thousands of petitions from people from Cambridge, Thornhill, Woodbridge, Pickering, Omemee, Oshawa and Grimsby, all asking the provincial government to shut down puppy mills.

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario Society for the Prevention of Cruelty to Animals needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities, and, that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I certainly support these thousands of people from Ontario who want to ban puppy mills, and I'll affix my name to the petition.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** In the interest of keeping our party involved in the petition process, I've always got constituents who write to me.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region and the proposed routing, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd in Oshawa;

"Whereas such routing will destroy completely five holes, and severely impact two additional holes, effectively destroying the golf course as a viable and vibrant golf course,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing"—of the 407—"to one of the other identified alternate routes thus preserving this highly regarded, public facility patronized annually by thousands of"—my constituents and—"residents of Durham region and the GTA."

I've got thousands of signatures, and I am pleased to support my constituents by signing this petition.

## COMMUNITY CARE ACCESS CENTRES

**Mr Ernie Parsons (Prince Edward-Hastings):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of up to \$175 million due to a funding rollback by the provincial government; and

"Whereas due to this funding rollback, community care access centres have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services, so as to ensure that community care access centres can provide the services that Ontario's working families need."

I am pleased to add my signature to this petition.

## ORDERS OF THE DAY

ONTARIANS WITH DISABILITIES  
ACT, 2001LOI DE 2001 SUR LES PERSONNES  
HANDICAPÉES DE L'ONTARIO

Mr Jackson moved second reading of the following bill:

Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts/ Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I will be sharing my time with the member for Mississauga East and the member for Haldimand-Norfolk-Brant.

I am pleased to commence second reading debate on Bill 125, the Ontarians with Disabilities Act, 2001. With this bill, the government is proposing the most far-reaching and comprehensive legislation to date in our country for persons with disabilities. This bill reflects the desire and determination of the people of Ontario to support the rights of every person with a disability to live as independently as possible, to enjoy equal opportunities and to participate fully in every aspect of life in our province. If passed by this Legislature, the Ontarians with Disabilities Act will create more inclusive communities and improve accessibility for the 1.6 million persons with disabilities who live in our province.

The government can demonstrate leadership, and it can inspire change. When the Premier appointed me as Minister of Citizenship just nine months ago, my first goal was to find out specifically from individuals from within the disability community across our province and from the leaders and advocates in their own communities who had inspired some of the most profound changes in their own communities and changed the lives of the disabled in a very meaningful way. Meeting these individuals and seeing first-hand the kinds of things they had done in their communities helped us formulate the framework that exists in this legislation. It is unique, but if you understand what we are witnessing across Ontario, the way the disability community in some municipalities has done such a profound job of change, we saw in that an instrument to create permanent, lasting change in our province and to elevate that standard to every community in our province.

It was from these individuals that I understood for the first time the concept of full citizenship, something the disability community has only aspired to but been unable to achieve in our province because of the existence of barriers. Unfortunately we as a society continue to construct these barriers in the way of disabled persons. But we needed to engage the disability community and, ask them how we would make that change and create a vision and a path from which we could develop the all-important legislation they have patiently been waiting for for many years.

When I talked to these individuals and listened to what they wanted to see happen in our province, it occurred to me that we really share the same vision and the same goals, and we know we can get to the same outcomes. Simply put, they wanted legislation that would do two things: create no new barriers in our province and have a plan whereby we would be able to systematically go back and remove all the existing barriers in our province. Those very simply were the two things they said we needed to have in this legislation.

1600

If we were to listen only to the opposition parties in this debate, they would have us believe we are starting from scratch and that nothing really good has been going on in this province. I would disagree. We have a very strong foundation on which to build. We have tremendous examples of leadership in every sector and in every corner of this province. What we need to do is ensure they become the new standard, not the one we've been coping with for all these years.

In 1995 our government made a very firm commitment to increase opportunities for persons with disabilities by investing over \$6 billion annually in services and programs for the disabled community: respite support service, technology assists, assistive devices, education, transportation, accommodation, income support, attendant services—a whole range of support services. This was a significant investment in the quality of life in our province and, quite frankly, in the course of the last five years while this government has had the responsi-

bility of governing, we've increased that amount by \$1 billion, a significant increase and a commitment.

We also have an outstanding framework in which to work in this province, something our American friends to the south do not have. We, as Canadians, are fortunate to have the Charter of Rights and Freedoms. We, as Ontarians, are fortunate to be the first jurisdiction in North America to have human rights legislation. These are powerful instruments if they are used effectively, and do the job they're supposed to do for citizens who feel they've been discriminated against. Make no mistake, one of the challenges the Americans are facing with their disabilities legislation is that they do not have the kinds of rights and privileges we enjoy as Canadians.

There are a number of municipalities and private sector organizations that have already been developing proactive approaches to ensuring that their communities are more inclusive and more accessible. I want to take a few moments to tell my colleagues about the things I learned about these very progressive communities and what I learned from the disabilities community during my province-wide consultations.

The city I started with—and I've told this story in the House a couple of times—was the city of Windsor, because I was led to believe, and rightly so, that they are doing some of the most progressive things in Canada, let alone in Ontario.

I went to meetings with Mayor Mike Hurst and the Windsor Advisory Committee on Disability Issues, which is this year celebrating its 20th anniversary. It's 20 years that they have been linked in partnership with their municipality and their councillors, making decisions about making Windsor a more inclusive community. Today they are so far ahead of most communities in our province that they're actually beyond auditing public buildings. They're now auditing private buildings and publishing information to their citizens about which businesses are accessible and which ones are not, helping them and working with them to remove barriers and setting up a system of identification for the disabled community, because they will take their business and their needs to those businesses and services that are accessible. It was a very powerful experience for me to see it working in the province of Ontario.

Each year the committee, in partnership with councillor Joyce Zuk and the rest of city council, sets priorities and implements the removal of barriers, and they develop their annual accessibility plans. If you were to ask Carolyn Williams, the chair of the Windsor Advisory Committee on Disability Issues, she would proudly tell you about the accessibility of the Sheridan Hotel, the Windsor casino or the arena, all of which didn't get their building permits until they had been examined by the committee and given considerable input about ways that barriers could be removed. To the credit of city council, they did not let those projects proceed unless that was done.

It can be done, and it is being done. We want every community to operate in a fashion similar to Windsor.

Even though Windsor may have the highest standards in Ontario, we think that should be the new floor. The rest of the province should come up to that level, and from there we can go further.

Here's what Carolyn Williams says about the approach of working with the private sector, the municipal sector and the disabilities community: "The city of Windsor has demonstrated leadership and a long-term commitment to promoting accessibility. We are thrilled that the proposed legislation," Bill 125, "mandates committee involvement in municipalities of 10,000 or more residents across the province. The Windsor Advisory Committee on Disability Issues is prepared to work with the government to achieve a vision of a more inclusive Ontario and independence and opportunity for all persons with disabilities."

Windsor is proof that accessibility committees are taken seriously by municipal councils. They give sound advice, which is followed, and they do create permanent change and prevent new barriers from being created, one of the primary objectives of this legislation.

We know that the successful model in Windsor, if repeated and mandated across the whole province with even stronger guidelines than the ones that Windsor is operating under, shows that we can achieve the kind of success in co-operation with municipalities never before achieved by any community or any province in our nation.

The story was repeated in several other communities. In our investigations we were only able to find about 18 communities, of all the hundreds of communities across Ontario, that had these accessibility advisory committees. But I tried to meet with each and every one of them during the course of our province-wide consultations, because in each community we were learning about things they were doing municipally, bylaws they were changing, that were leading to a very clear decision by those municipalities that they were not going to create new barriers.

I went to Niagara Falls, where my colleague Bart Maves and I met with members of the disabilities advisory committee. An article in yesterday's Niagara Falls Review highlighted the section of the proposed legislation that requires all new construction built with government funding to be accessible, and praised the accessibility planning that was going into the legislation.

This government, with taxpayers' dollars, has committed about \$1.8 billion in infrastructure, transit, new hospital construction and new university and college construction. This legislation says those projects must be accessible to the higher standard in this province. We believe that's an important element of this bill. We believe it fulfills our promise that we will not create new barriers with taxpayers' money, something that the disability community has said makes no sense—using their own tax dollars to create environments that create barriers for them. We clearly can do a better job, and it should be the law that we cannot create those barriers in public spaces.

Paisley Janvary-Poole, chairperson of the disability advisory committee in Niagara, gave full marks to Casino Niagara. She said, "We're very pleased that the casino is working with us over and above what the building standards are." These are the kinds of outcomes they're achieving when access advisory committees are working in municipalities.

Other communities told me they had not been as progressive but had been awakened to the need for improved accessibility. This was the case in Owen Sound, where I visited with council and with leaders in the disability community. I met with a councillor there who said to me, "We were told by the architects that we could never make this old building of ours accessible." One night at council, this council member had a heart attack. He was a very big man. They found out that they could not get him out of the building with a stretcher. Fortunately the councillor survived and there was no damage. He's back, he's healthy and he's contributing. But guess what? They found a way to get elevators into that older building and now their seat of democracy in Owen Sound is fully accessible. It can be done.

1610

Ontarians want to do what is right. Municipalities want to do what is right for the disabilities community in this province, but they need to be directed on their journey. That is why this legislation was drafted in the way it was, and it is what this legislation intends to do, to create a framework for continuous change and work with all sectors of our society—all levels of government, municipalities, universities, schools, hospitals and the private sector—to plan for the removal of barriers.

Ottawa was another city that saw the benefits of both an accessibility advisory committee and mandatory accessibility planning. Following a para transit strike in that city last winter, the city recognized the importance of full accessibility. They have actually forwarded to me, as the minister, a profile and a council resolution on how they'd like to see their access committee. It goes further than I've seen any others go. This is a willing effort on the part of the municipality.

It was these best practices and the work of these individuals that helped shape the proposed legislation before the House today. The most valuable lesson I learned was how powerful change could occur if the disabilities community was front and centre, was listened to, was asked for their input and it was acknowledged and acted upon. It sounds simple, but you'd be amazed how many communities don't even consider doing it. But those that do it are doing a tremendous job and getting lasting results that their entire community can be proud of.

Even the disabilities community impressed upon me that they needed a flexible approach with respect to time frames and by mandating the various sectors in our society. It's something they were very clear about. They knew change would not occur overnight. What they were adamant about was that they did not have the tools to force the kinds of changes that were needed in our

province. They wanted flexibility, but on the other hand they wanted the authority, the capacity and the infrastructure to support prescriptive measures. They knew it couldn't be done overnight, but they knew they needed a framework in order to make them change.

This point was made by David Lepofsky, chair of the Ontarians with Disabilities Act Committee, when he said this week on Studio 2 on TVO, "We would like to have the barriers that we face identified and eliminated over time. People need to have the time to do it." That's exactly what this legislation does. It gives municipalities, universities, schools, hospitals and the private sector time to identify these barriers and to plan to remove them within the reasonable time frames that will be set out in regulations and which will be enforced by the government, but those time frames will involve the disabilities community sitting down with each of their institutions and their communities.

My colleague Ernie Parsons, the Liberal disabilities critic, agrees with the fundamental approach to this. I'm quoting from an article that appeared in the *Picton Gazette* on November 7. Mr Parsons said this about this legislation, Bill 125: "It does require municipalities to reduce barriers and there is a time frame for it."

There has been a lot of discussion around the 11 principles put forward by ODAC that have been approved unanimously in this House, in 1998. They were forwarded by the member for Windsor, Mr Dwight Duncan, in support of these 11 principles. We firmly believe these 11 principles have been addressed in this bill. Let me tell the members of this House the challenges we face.

I want to compliment my colleague Steve Peters, who did a wonderful job travelling across the province consulting with disabilities communities—I have read his report; I tend to keep a copy in my desk, as you can see—and very well documenting all the challenges we have in our province.

But not one single recommendation is contained in the work of the opposition party Liberals. In fact, after all that research and work, they came to the conclusion that this would be a great place to start the dialogue and talk to the disabilities community. In fairness, I will be here the balance of the afternoon to hear the debate and the discussions from the Liberal Party as to what they are offering the disabilities community and what promises they are prepared to make, but we have not heard any. We've not heard any commitment, other than the 11 principles that we know are contained in this bill.

The Liberal Party failed, in my view, some of the outstanding work of its own members by not taking their document one step further and saying, "This is what we would do." There was a lot of work. Mr Peters, Mr Levac and Mr Parsons all worked very hard on identifying the problem. But we knew much of this information. What we needed was concrete proposals. We needed recommendations and we needed suggestions on how the legislation would work. Not one word.

There is an issue that really needs to be brought forward in this debate, because the disabilities commun-

ity knows this better than anyone else. We who are not facing disabilities take our daily activities for granted. For us, there are no standards not being met. We can walk out of this building, and we can get into our cars and drive home tonight with not a care and with little difficulty at all. But the disabilities community knows that there are no standards and no guidelines that exist in this province for the accessibility barrier removal. We have a building code that is a minimum standard and it needs to be fixed and upgraded and updated.

We unfairly, in my view, condemn the Human Rights Code because it goes in and it finds that when a movie theatre in Ontario denies a disabled person access, they get the ruling, they know the individual is right, that they've been wronged, and that the company, whatever the theatre company, broke the law, but then when the lawyer for the theatre company says, "Tell me what the standard is we're supposed to meet, Your Honour, and we will then go out and do it," the Human Rights Code says, "Sorry, but not only are there no standards in Ontario, there are no standards in Canada."

In fact the Americans with Disabilities Act has taken 10 years to develop their standards, and they're still not into the first phase of their implementation. I'll put on the record right now that the Americans with Disabilities Act has a 30-year window for compliance and has hundreds of pages of exemptions. We do not want to go down that road. We can achieve a barrier-free Ontario far sooner than the Americans will because we already have those instruments of the Human Rights Code and the Charter of Rights. What we're missing is the guidelines such that, when we impose them on a business, they have the right in law in this province to go before a court and say, "Your Honour, I understand that I may have been wrong to bar an individual from my property, but tell me what my guidelines are that I have to follow." His Honour says, "You know, it's not my job," and it isn't.

So we have this work to do and we have to get this work done immediately. The government shouldn't be the instrument to do it alone. We need the disabilities community to come to the table and say, "These are the standards. These are the barriers we face every day." I don't face them. Why would I, as minister, sit there and say, "That sounds reasonable to me. A 36-inch-wide door? I guess that sounds fine." What's the difference between that and a 32-inch door? Don't say four inches. The difference is that you won't be able to manoeuvre a wheelchair or a mobile scooter or whatever. We need to understand that and there's lots of information about this, but we don't have the guidelines in place.

The disability community said, "Minister, we do not have the guidelines; we do not have the standards. You can't put someone in jail for non-compliance with your law when the law doesn't exist. You can't close a business that hasn't done its job of making itself accessible if you don't have the guidelines. You can't fine a business \$100,000 because it barred some individuals from getting inside the door if you don't have the guidelines in place." So we simply must get these in place. We must get them

in place immediately. That's why the disability community has been suggesting to opposition members that they want this legislation, as amended, passed before the end of the year. They want to get on with the business of making Ontario a barrier-free province. That's what they want.

**1620**

ODAC, the Ontarians with Disabilities Act Committee, talks about principles. Yet they have been unable to tell us exactly what form the legislation should take, nor at any time did they table specific legislation or a framework—and Mr Lepofsky is a very brilliant lawyer. I know; he works for the government of Ontario. He works for the Attorney General's office. He's a civil servant. He does a very good job for the government and the taxpayers of Ontario. He understands the law. He works with the law every day and frames laws every day of his life. Yet I have been unable to get any specific wording from ODAC.

My colleagues, the NDP, have been unable to articulate a plan either. They simply think the solution lies in making a commitment of more money. Well, you ran up a \$50-billion deficit in this province over five and a half short years. But we can't identify how much of that \$50 billion was spent to help remove barriers facing Ontarians when you were the government. Now your leader says he thinks we should spend \$1 billion to help the private sector remove private sector barriers. Well, that's noble. Imagine: we have him wanting us to reduce taxes, and now he wants us to help the private sector remove barriers with \$1 billion of taxpayers' money.

Oddly enough, I spent a lot of time with a former NDP MPP of this House. Several members would remember Gary Malkowski, himself challenged as a deaf person in our province and a member of the NDP caucus. He tabled his own bill, which was never passed by the then government.

We are prepared to proceed, because we are confident in the process and the legislation we have brought forward. It is a framework for change. It deals with the issue of a lack of infrastructure, and it gets the guidelines in place before we impose penalties on people that will never be sustained in any court because we don't have guidelines in place.

Our legislation will work toward a barrier-free Ontario as soon as reasonably possible, which were the exact words in principle number 1—as soon as reasonably possible. That's what this legislation says. And do you know who is going to decide whether it's reasonable? The disabilities community, who sit on the access advisory council of Ontario working on the regulations and meeting with the private sector to say, "You tell us how you're going to become compliant with this legislation." If that isn't reasonable, then what is reasonable in our province?

This legislation will achieve principle number 1 through the creation of mandatory advisory committees at the municipal level; an accessibility council for the province; for the first time in legislation in our province's

history, a disabilities directorate, which will coordinate a whole range of disability issues, including the establishment of the guidelines and the framework. It will mandate government to create accessible Web sites, publications, workplace policies and practices through having accessibility as a requirement for all future capital investments in this province. That's the short list of the changes.

Ontario and Canada have stronger human rights legislation than any other place on this continent. The code must retain primacy over any other laws as it protects the rights of all our citizens, not just the disabled but persons of colour and persons of different faiths. It's a very important piece of legislation, and I thought long and hard about the notion in principle 2 that we would find a way to have primacy over this legislation. I think we've achieved the intention of this principle, because we believed that principle 2 was to ensure that a proposed ODA would set the bar higher than it had ever been before in terms of achieving accessibility. That's why this legislation would amend municipal powers, for example, so that municipalities can make accessibility a consideration when issuing municipal licences. It will be a very powerful instrument for municipalities to be able to deny a business to operate in the community unless it meets certain accessibility standards. That's why the legislation was written to ask the disabilities community, in partnership with government, to work toward universally accessible standards that may exceed the standards set in the Ontario building code.

Principle 3: the proposed legislation must apply to all sectors. Bill 125 applies directly to all provincial government ministries, to all municipalities of 10,000 or more residents, to all hospitals, school boards, colleges and universities, public transit providers and private transit providers who have contractual arrangements with municipalities. It contains regulation-making authority that affects the private sector—the first of its kind in Canada—because we need the flexibility to first set sectoral standards in consultation with the private sector. I know that may not be an issue of concern for the third party, but I know the official opposition understands this issue.

We're not going to be able to make the province of Ontario barrier-free next year. We don't have the standards, and we need to give business time to convert. We need to close the loopholes in the building code when you're doing major renovations. There are many things we can be doing, working co-operatively and within a prescribed time frame. We need the flexibility to set those standards. For the first time, we need to entrench in law that the disability community will be pivotal in creating those new standards and assisting in developing the new regulations.

The proposed legislation, Bill 125, gives the government the authority to set time frames for compliance with this legislation—principles 4 and 5. But we need the flexibility. Even the highly-touted Americans with Disabilities Act has a 30-year period for implementation. We're not asking for 30 years. But each sector will be

different in terms of its ability to convert, and there are some that are essential for the disabilities community to have removed immediately.

I have said all along that the Ontario Human Rights Commission provides an effective means of enforcing the rights of persons with disabilities, which is principle number 6. In addition, the creation of an accessibility directorate and the Access Council of Ontario provide an oversight mechanism to review accessibility plans and ensure that barrier removal is taken seriously in this province. The disabilities community has many members who deserve a voice. There are many people in the disabilities community who deserve a voice on these issues. One person alone cannot represent the entire disabilities community. There are many voices, many needs and many unique challenges facing a broad range of citizens of all ages who are challenged by their disabilities. The council will be composed of their voices to ensure that this province listens, understands and acts in accordance with the regulations we would create together.

Principle number 7: this will be achieved through many deserving individual appointments to local advisory councils and the provincial access council. The proposed legislation, Bill 125, also recognizes the importance of overcoming attitudinal barriers and the need for the public to have a proper education and for promoting existing programs and services that remove barriers. The disability community consistently said, "Will there be public education? The public just doesn't get it. They don't understand the needs of the disabled."

We don't have to try to negotiate through our communities on a daily basis the way they do. That's why, when I presented this to cabinet, I insisted the legislation provide a mechanism for them to tell us how the barriers should be removed, when the barriers should be removed and what the barriers really are. We've had very well intentioned people in planning departments and municipalities and enlightened leadership at the municipal level, but we still make mistakes because we don't see through their eyes, we don't walk their path and we don't have to hear how services are not administered in our province.

1630

Principles 8 and 9: one of the key functions of the directorate and council will be marketing a new program called "Opening doors is everybody's business." When this legislation becomes law, we'll be pleased to provide more details. The legislation also addresses accessibility compliance as a condition of funding and purchasing goods and services. It's specifically a principle; it's specifically in the bill.

Principle 10 imposes this requirement on the government and the municipalities, and also mandates accessibility as a requirement for all capital funding. It's mandated in the legislation.

Finally, principle 11: the proposed legislation does make meaningful improvements to the lives of all Ontarians living with disabilities. As the March of Dimes publicly stated this week, "Laws unto themselves aren't

enough. People have to embrace the concept, and that means changing or expanding the way we think." The Ontarians with Disabilities Act, Bill 125, is a good first step toward achieving a barrier-free Ontario.

Our government pledges to work in partnership with Ontarians to build on what we have already achieved together. We will move steadily toward a province in which no new barriers to persons with disabilities are created and where existing ones are removed. That's why we published our documents, Independence and Opportunity, and Framework for Change for Persons with Disabilities, on our government Web site. Persons with disabilities can ask for these and we will send them to them.

The government's framework for change, as demonstrated by Bill 125, would directly affect the four key sectors of our society: the Ontario public service, municipalities, the broad public sector and the private sector. By working in conjunction with the private sector in establishing standards of accessibility, we can successfully forge lasting and valuable partnerships that will increase opportunities and full citizenship for persons with disabilities. This government believes this is the correct direction. However, make no mistake about this: there is regulation-making authority in this legislation to ensure that existing barriers are identified and removed and that no new ones are created. That is not a threat; it is a part of our action plan to remove private sector barriers. These regulations will be developed and implemented within the prescribed time frame if, in the opinion of the government and the Accessibility Advisory Council, compliance is not happening fast enough in our province.

This comprehensive bill will challenge all people of Ontario to do the right thing and provide the resources with voluntary and mandatory measures. It will also contain the power to increase the mandatory requirements when required. Some of the legislation's critics have gone out of their way to say that its supporters within the disability community should be put on the back burner. We disagree.

The disabilities community will tell us when our cities will become fully accessible, because they will finally have the tools and the authority to determine the time frame, something ODAC was unable or unwilling to do during the debate in the last nine months. The new inclusiveness of which I speak is set out in this legislation, not as a set of promises; it is clearly, though, a set of challenges. It sums up not what this government or what I as the Minister of Citizenship intended to offer the disabilities community, but what we as a government intended to ask the disabilities community themselves to do to change our province. By working together, I'm confident that we will achieve full citizenship for Ontario's 1.6 million persons with disabilities.

**Mr Carl DeFaria (Mississauga East):** I stand today to voice my support for the proposed Ontarians with Disabilities Act, 2001. It is my pleasure and privilege to be able to speak today about this groundbreaking legislation.

You have heard the Honourable Cam Jackson, Minister of Citizenship, talk about the full scope of this bill.

I'd like to add some comments of my own about the bill because I truly believe, and I am proud to stand here today to tell you, that this proposed legislation would make a difference to Ontarians with disabilities.

The bill is made for Ontario. It is a made-in-Ontario bill. In Ontario we believe in partnership, co-operation and shared responsibility, an inclusive process for becoming a truly inclusive province. Our framework for change is unique in that we are involving the disability community and the private sector in setting the standards rather than imposing and dictating standards.

Since Monday's introduction of this proposed legislation, we have heard from some opposition members that the legislation does not have teeth and that it would not affect the private sector. This bill affects the private sector. We are raising the bar. We know that the private sector is ready and willing to partner with us to make Ontario accessible, and the bill does have teeth in the regulation-making authority that would be used if necessary and with the input of important stakeholders such as the disability community.

Yes, we could have imposed arbitrary standards on the private sector, but that would lead to one standard for all. A standard that would be applicable to all sectors would soon be outdated. With our approach, innovative solutions would be created for specific circumstances and the standards could continue to evolve and to improve. That's because the process is bottom-up and driven by the people who are most affected. So we have put forward a bill that seeks the involvement of stakeholders in setting standards before we adopt those standards as regulations.

The private sector wants to remove and prevent barriers to persons with disabilities. In the future, the most sustainable companies will be those that create environments in which all individuals are able to contribute their skills, energies and experience toward success. They will be companies with the capacity to employ persons with disabilities, serve customers with disabilities and compete in an increasingly diverse market.

Before this legislation, there was no formal way of establishing standards and shared views. The private sector wants to do the right thing but says it needs more access to information and advice on how to do it. With this bill, the private sector will know what to do to get the business of every Ontarian. Through the Accessibility Directorate of Ontario, the government would create and administer an incentive program to encourage the participation of all sectors in identifying and removing barriers and setting standards.

One of the first goals would be to encourage businesses to remove obvious barriers such as entranceways to make businesses accessible to persons with disabilities. A number of sectors, like tourism, have already begun to develop their own standards. They are ahead of the government because they realize the importance of getting business from all different walks of life.

**1640**

The accessibility council and directorate would help such organizations by targeting sectors, setting strategic

priorities and developing and building consensus on the development of standards. Once such standards are in place, government could use its regulation-making authority to make these standards into law.

The requirement that the provincial and municipal governments would have to consider accessibility when purchasing goods and services would help to provide incentives for the private sector to make those changes.

The province alone spends billions of dollars on procurement each year. Municipalities would have to take accessibility into consideration when approving, for example, subdivision plans and upon issuing licences. All of these things taken together would help to drive the change.

**Mr Tony Martin (Sault Ste Marie):** On a point of order, Mr Speaker: This is an important piece of business for this province. I was just wondering if there was quorum here to hear the words of the member across the way.

**The Deputy Speaker (Mr David Christopherson):** Would the Clerk check for quorum, please?

**Clerk Assistant (Mr Todd Decker):** Quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** Quorum is now present, Speaker.

**The Deputy Speaker:** The member for Mississauga East may continue.

**Mr DeFaria:** It's unfortunate that we had to interrupt my line of thought on such an important bill.

The plan, our framework for change, recognizes that real success is never achieved overnight. People and organizations need time to adjust and to respond appropriately. It takes time to develop expertise, develop infrastructure and build a capacity for change, but we will not rest until we have fulfilled our vision.

The regulation-making authority in the bill would also give the government the power to specify a time period in which any organization mentioned in the bill is required to comply with its obligations. This bill does have teeth. The teeth are in the regulation-making process.

But fundamentally the bill is based on a different approach to social change. I'd like to say also that the government is not alone in believing in this approach. We didn't invent this approach. We looked at municipalities, for example, that have made huge progress in accessibility. We looked at industries like the hotel industry that on their own initiative have made huge progress and we have based our approach on what we learned. We looked at trends that show that governments all over the world are beginning to explore a more strategic, comprehensive approach based on shared responsibility as a new solution to many difficult problems such as environmental issues, for example.

We talked to people in all sectors, especially people with disabilities, and we asked them what they think works. We heard a few words over and over again: "involvement," "partnership," "co-operation," "inclusion," "balanced," "reasonable," "comprehensive." Those words describe this bill and our entire framework for

change. That's why I believe we are doing the right thing the right way.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I'm truly pleased to have an opportunity to address this piece of legislation. Minister Jackson this afternoon used the expression "barrier-free Ontario." At first blush I would think, is this possible or is this truly an insurmountable task? I think we all agree that a gap exists between where we are now and where we should be. I don't see this as one gigantic challenge, something we can bite off in one chunk. It will take time. I see it as a series of very small challenges.

I think of the example of the step in front of so many stores and commercial establishments. In the first place, usually, through design a step like that need not be built. By and large, it's fairly simple to take out a concrete step and redesign the doorway. You have an accessible commercial establishment and the proprietors of that store have access to a new cadre of customers.

This legislation and the results to be achieved truly are possible. I would ask the members present to reflect on the motto of the school for the blind, the W. Ross Macdonald School in Brantford. Their motto is, "The impossible is the untried." If I have time, I wish to talk a little bit about that school. I'm a little familiar with that building.

Most of us in Ontario are lucky enough not to face barriers in our everyday life. I look around at members of this House. We are truly blessed. However, there are 1.6 million people in our province for whom barriers are a fact of life. It's a constant frustration, preventing these people from experiencing the same fullness of opportunity, of experience, of participation that we take for granted. Something as simple as going into a store, as I mentioned, or something as simple as crossing the street for someone who is visually impaired, or reading a newspaper, obviously is an arduous task for more than 15% of the people in our province.

Who are these 1.6 million people? They are teachers, lawyers, someone's employer, a secretary, an athlete, a coach, children and parents. They're no different than anybody else in this province. They're no different than the 85% of us who may be more able. They're hard-working, contributing members of our society and they deserve better than to have doors closed to them because no one has had the forethought or the wherewithal to make buildings and services more accessible. This is a challenge not only for the province of Ontario, but for its municipalities.

I'm proud to speak to this proposed Ontarians with Disabilities Act. I'm proud of the inclusive process, of the consultation, which was mentioned this afternoon, that has created this legislation.

This province has had a history of working to remove barriers for the disabled and I'm proud of our government's vision for an Ontario where such barriers cease to exist. I compliment Minister Jackson for his work in bringing this legislation forward.

Persons with disabilities represent a significant and also a growing part of our population. As I mentioned,

1.6 million people in Ontario have disabilities. Of course as people in Ontario age, the proportion with disabilities will increase. Two decades from now it's estimated that nearly 20% of the population will have a disability. That would be one in five persons.

That's just the people with disabilities. Accessibility challenges also affect millions of parents, grandparents, children, friends, neighbours and co-workers who are involved with disabled people on a daily basis. I think we all realize that disabilities affect all of us and affect all aspects of our society.

I think we are cognizant of the challenge before us, but no more difficult a challenge than is being faced by our disabled population as they strive to make their way in a limited access world. But just as persons with disabilities overcome these challenges, so too will this government. This province and its municipalities will succeed in achieving the goals set out in the vision outlined by Minister Jackson. The vision is both simple and ambitious. We want to work steadily toward an Ontario in which no new barriers to persons are being created and the old ones are removed, but we realize this requires the support and participation of people from all sectors within our province.

1650

Fortunately, we do have a solid foundation on which to build: each year the governments commits billions of dollars to a wide range of programs and services; we have a strong Human Rights Code which provides all Ontarians with protection from discrimination; and we have the will, we have the commitment of our government to make this change happen. There is much to be done. The proposed Ontarians with Disabilities Act is the essential legislative element to achieve this vision. It would instruct the provincial government and municipal governments, as well as the broader public sector, to create plans for greater accessibility: greater accessibility to buildings within that jurisdiction and greater accessibility with respect to services. It would create the basis for a valuable long-term partnership that would include—and more importantly would depend on—the knowledge and input of people with disabilities. I think we all recognize the wisdom is out there, the guidance is out there within that community. It would create a framework for the adoption of codes and standards in all sectors of our society. In fact, it's been the government's goal to ensure the disabled community has a full voice in developing and going forth with this legislation since day one.

To effectively create a barrier-free society in all aspects of our daily living, one must apply "a disability lens". This is a quote from the president of the March of Dimes, Andria Spindel. "A disability lens": it reminds me of an expression that my son uses on occasion, especially when we lose power when the lights go out at our farm and he's running around finding candles and things like this. He explains to me to use my blind skills when there's no light in the evening. My son is very skilful at moving around in the dark, whereas I am not.

This is where I wish to refer to the W. Ross Macdonald School, the school for the blind in Brantford.

This proposed act seeks to build on steps that Ontario has taken in the past. As far back as the 19th century, this province can be seen as introducing measures for the disabled. Just outside of my riding, in the city of Brantford, stands a bricks and mortar testament to the forward thinking of our forefathers. It was on the recommendation of Dr Egerton Ryerson, the chief superintendent of education in Ontario from 1844 to 1876, that the Legislature of Ontario established a residential school for the education of blind students on 65 acres overlooking the city. This important work of Dr Ryerson is of course well known in that area. Dr Ryerson was from my riding. He has an island named after him in Lake Erie. He has a pub named after him in Toronto. I'm sure there's other facilities—I think of the community college by way of example—but it's his contribution to the education of the blind that I wish to talk about today.

Since W. Ross first opened its doors in 1872, thousands of blind and low-vision students have received their elementary and secondary school education at what came to be known as the Ontario School for the Blind. A new school was built in 1973 and renamed W. Ross Macdonald School. This was in honour of Ontario's Lieutenant Governor, who was a lifelong resident of Brant county. This year, there are about 222 blind, deaf-blind and low-vision students at the school. One of them is my son Brett, who can attest to the good work that continues to be done at this important facility after 125 years.

As I mentioned earlier, the school's motto, "The impossible is the untried," is a phrase I think we can all take to heart as we discuss the introduction of this legislation. I feel that our government echoes this sentiment and will continue working, will continue trying to make the possibility of a barrier-free world a reality.

There are other examples of this province's commitment to provide the disabled with educational activities. The Ontario Ministry of Education, for example, operates four anglophone provincial schools, including three schools for the deaf and three anglophone demonstration schools for students with severe learning disabilities located across our province. I'd like to make mention: the Ernest C. Drury School for the Deaf in Milton, Roberts School for the Deaf in London, Sir James Whitney School for the Deaf in Belleville, the Trillium School, the Sagonaska School, Amethyst School in London.

I can further quote, and I do wish to quote, the March of Dimes president: "If we all work together, particularly governments and the private sector, persons with disabilities will no longer be on the sidelines, but rather full participants." It is essential that those affected by this legislation be directly involved, and our government has attempted, in my view, to apply a disability lens and has made certain that this involvement will occur.

Over the spring and summer the minister has consulted with close to 100 organizations. Further meetings, as we hear, will continue. The goal is to achieve a general consensus both on the vision and also on the plan to achieve it. Our government hopes to further solicit input from the public, stakeholders and disabled people

through public meetings if the leaders of the three parties represented in this Legislature agree. I have suggested that if hearings are held, perhaps we could spend a day at W. Ross Macdonald.

To conclude, a partnership is essential if this proposed legislation is to succeed in realizing the vision. Municipalities and people with disabilities are being asked to team up with the province to work together so that we'll be able to implement the necessary changes to break down these kinds of barriers that people with disabilities confront every single day.

**The Deputy Speaker:** That concludes the government's leadoff debate. Members now have up to two minutes for questions and comments.

**Mr Mike Colle (Eglinton-Lawrence):** I was listening to some very interesting comments. I know the minister has attempted to bring forth a bill to rectify a gap in the rights and privileges of people with disabilities in this province. As you know, we on this side feel at this point the bill is not strong enough, it's not adequate enough, given what the American legislation has been for the last 11 years. It's really not good enough. We think it should be much stronger. I want to echo the words of our critic from Prince Edward-Hastings, Ernie Parsons, who will continue to advocate for a complete Ontarians with Disabilities Act; this one needs a lot of work, a lot of improvement.

I would also like to mention that in my past days with the TTC we worked very diligently with Torontonians with disabilities, trying to get them proper transit accessibility. We created one of the best paratransit systems in the world, Wheel-Trans. It wasn't easy. It's a very challenging thing to do. It's expensive; it's complex. I know they still haven't put all the elevators in the stations that we advocated or certainly the community was advocating. So there's a lot of work to do.

I also want to comment on the references my colleague from Haldimand-Norfolk-Brant made about the visually challenged. My wife and I do a lot of work with the Foundation Fighting Blindness, and we know the challenges they have. There are a lot of great volunteers out there who every year raise over \$1 million in the Ride for Sight, where they have a motorcycle ride all the way up to Collingwood. John McBride is one of the leaders; Mike Gorman. So that's another community that can certainly benefit from more support.

1700

**The Deputy Speaker:** The member's time is concluded.

**Mr Martin:** This afternoon we heard the minister say to the people of Ontario that he wanted to ram this ODA through by Christmas because he wanted to get started on tearing down barriers.

My challenge to the minister this afternoon here in the House is that he could get that process going immediately. He could direct all of his ministries to create their accessibility plans and have them ready for action by Christmas. All he has to do is snap his fingers, talk to the Premier, talk to the other ministers and that would begin

to happen, if he was really serious about getting this through and getting barriers down before Christmas.

If he's such good friends with the head of the Association of Municipalities of Ontario, why doesn't he call her up and ask her to get municipalities to agree to get those accessibility plans in order immediately as well, get the municipalities moving, tell them to get their plans in order and to put them in place? Why doesn't he ask the private sector to do that right away, too? If he's such good friends with the private sector and he's so convinced that they'll jump to it and start moving on this immediately and work with him on their plans, why doesn't he just call them up this afternoon and say, "We want those plans in place by Christmas"? He doesn't need legislation to get ministries and the broader public sector to file accessibility plans by Christmas; all he has to do is ask them.

Why doesn't the minister stand up today and say that Ontario won't spend a penny of SuperBuild money erecting new barriers? He doesn't need legislation to do that. He just has to talk to his colleagues in cabinet. Why doesn't the minister send a memo to his fellow ministers changing procurement policies to be barrier-free? He doesn't need legislation to do that. He could do that right now. He has had six years to tear down barriers, and his government did absolutely nothing. If the minister truly wants to tear down barriers in this province, why doesn't he lead by example and start today?

**Ms Marilyn Mushinski (Scarborough Centre):** I'm very pleased to join in the debate with respect to the wonderful speeches made by the Minister of Citizenship, my good friend Cam Jackson, and also my esteemed colleagues from Mississauga East and Haldimand-Norfolk-Brant, who I know are very passionate about the whole issue of disability and ensuring that the dignity and worth of all Ontarians are respected and valued. Indeed, I think it's important that we remind those on the other side of this House of the vision that the minister and indeed our caucus have with respect to our government's commitment to disabled people's rights.

We're introducing an important piece of legislation, and we believe that the people of Ontario support the right of every person with a disability to live as independently as possible, to enjoy equal opportunity and to participate fully in every aspect of life in our province. We believe that the dignity and worth of all Ontarians should be respected and valued. Further to that, this year's annual report of the CNIB is titled It's Respectable to be Blind. That's contained within this document. The government of Ontario is pleased and pledges to work in partnership—

**The Deputy Speaker:** Thank you. The member's time has concluded.

**Mrs Marie Bountrogianni (Hamilton Mountain):** First, I'd like to congratulate my colleagues, Mr Parsons and Mr Peters, for their work the last two and a half years in going across the province and consulting with the disabled community on what should be in a bill for the disabled.

According to the ODA committee, on first read of the bill it appears to include all physical, mental and sensory disabilities, including invisible as well as visible disabilities. However, a main thrust of the bill's provisions appears to focus on barriers faced by persons with mobility disabilities. I suppose I have a bias, given that I worked for nearly 20 years with people with mental disabilities, with children with learning disabilities, sensory disabilities, that this act doesn't go far enough to advocate for that population, and I'd like to lobby for that part of the population as well.

Very recently, the Hamilton-Wentworth District Health Council did a study on the need for housing for the mentally ill in Hamilton. Up to 3,000 units are needed in Hamilton alone to address the need.

Research has shown that the mentally ill can live independently, with assistance, given the right supports. I do really wish, if not this government, any future government would look at the needs of the mentally handicapped, look at the needs of the perceptually handicapped, the sensory handicapped, as well as the learning disabled, because at times their disability is not very visible and they don't seem to us as being as needing of support, but they are and sometimes even more than those with physical disabilities.

I look forward to perhaps another time in the next few weeks to discuss this further, because now is the time to bring this to the fore, when there is a bill for second and, in the future, third reading. This is a group that has been ignored by governments, and I'd like to bring their plight to the Legislature.

**The Deputy Speaker:** One of the original three speakers now has up to two minutes to respond. The Chair recognizes the minister.

**Hon Mr Jackson:** I want to thank all members of the House for being here today and for participating in the debate. I want to particularly thank my parliamentary assistant, the member for Mississauga East, for his support, and the member for Haldimand-Norfolk-Brant.

We're about to embark on a very important debate on the future of how we can work together as a Parliament and how we can work together with all sectors on how we will make Ontario the most accessible province in our nation. I believe this legislation is a powerful instrument with which we can do that, because for the first time in Ontario's history, we're putting the disability community into the framework of the legislation and asking them to be our partner in driving it.

I was interested in listening to the Liberals make reference that they will strengthen this and they want the ADA model. I want to ask the Liberal Party to please do their research on this. We've studied what has gone on in the US. I have just one quote from a US justice document.

"Given discrepancies associated with implementing the ADA nationwide, a plethora of suits by private law firms has been filed." They quote a Miami Beach law firm, which worked with a non-profit group called Advocates for the Disabled. It filed approximately 200 lawsuits in 18 months. They won over US\$340,000 in fees,

but not one penny went to members of the disability community. Clay Shaw, one of the people who voted in the Legislature for this in 1990, said, "What these lawyers are doing in the name of the ADA is wrong, and if it continues, I fear that support for this important law will begin to decline."

We do not need a litigious environment which is rife with conflict in the absence of standards. We need the disability community to come forward and work co-operatively with all sectors. It's something this government pledges to do with the disability community and with the opposition to ensure that this law becomes the law for persons with disabilities in our province.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Ernie Parsons (Prince Edward-Hastings):** One of the stressful and disappointing things I find when I knock on doors during an election campaign is people who say, "I don't vote." It struck me today, at Remembrance Day, that I've always explained to them how important it is and what price was paid for our freedom to vote.

But people are cynical. With this bill before us, I can understand why people are cynical and skeptical of politicians. It in some ways requires Hansard to put a little asterisk beside each time we've heard the statement that applies to everyone in Ontario. The asterisk at the bottom could state, "Well, not really," because it doesn't benefit and it doesn't apply to every organization in Ontario by any means.

I feel badly for the disability groups over the past few weeks. They have shared with me that the minister has in fact, to his credit, met with a large number of them and shared with them what the legislation was going to look like or possibly look like. What's disconcerting is that it appears there were different versions, or certainly the groups misunderstood or understood differently what the bill was going to look like. Then, on Monday, the minister holds a media conference; has about 30 disability groups there to support the plan. What I found fascinating was not what the minister said, but following his presentation the media said to these groups, "What specifically about the plan do you like so much? What is so good about the bill?" Their response was, "We don't know. We haven't seen it yet."

**1710**

I feel bad for these groups, that they were a part of a sham, that in fact they did not know what the bill was going to look like. They very sincerely said, "It would be inappropriate for us to know until it's actually introduced in the House." I would suggest it is inappropriate to ask groups for support until you've told them what it is they're going to support.

Even the March of Dimes has indicated in its press release that this is a good first step—not that it's the answer, not that they have the legislation they want. The group that's been most supportive still puts a little restriction on it, that there's more work needed, that it's just a good first step.

I really feel bad, though, that the groups came here Monday afternoon to support a bill and they didn't know what it was. But imagine the pressure on them to be here. Imagine the pressure on them to participate in the media conference. These are groups that need funding from the provincial government. They need the provincial government as a partner to make services possible for their community. They need the government to pass the bill. They are desperate to see an ODA passed, so desperate they would come and take part in a non-media conference.

They are also very aware that there is a distinct possibility this House will prorogue at the end of December, or through December. So they know only too well—whether they've been told or whether they've assumed it—that if this bill doesn't get through by then, there is no bill. Sometimes it's awfully tempting to grab half a loaf rather than the full loaf. But this government promised six and a half years ago, in writing, to pass a bill. It is a false sense of urgency to come and say it has to be through in the next two or three weeks. There were six and a half years of broken promises to do it. They have now become victims of the charade, "It must be through by Christmas. This is such a high priority, we want to ram it through in the next three weeks." They had six and a half years.

They're feeling a fear that this is a take-it-or-leave-it bill. They either have to take it in this form or not have one at all.

It is somewhat ironic that as Christmas approaches it's almost like Scrooge giving a Christmas present. It is a wonderfully wrapped gift, but when you get inside, it's a piece of coal. There is no real gift. There is no real commitment in delivering on the commitment to Ontarians with disabilities.

In the six and a half years that this government has stretched out and not honoured their commitment, there are children now in grade 2 in our schools who were not born when this commitment was first made. Those Ontario citizens have had a full lifetime with barriers not only remaining in place, but additional barriers constructed against them over the six and a half years. That must bother the members on the other side. They have to be receiving calls.

The entire process on this bill is shameful. Ontarians with disabilities—even the human rights commissioner last year indicated the number one issue in his mind, and I'm not sure we should rank it as number one because every disabled person has a different number one issue, but certainly the human rights commissioner identified the difficulty as transportation. They can't hop in a cab. They can't drive a car. In far too many cases, they have to rely on WheelTrans. They need to rely on interpreters.

They were looking forward to being part of this debate today. When did this government make known to the disabled community that second reading of this bill was going to start today? Well, kind of by accident, at 4:30 yesterday afternoon. No one actually contacted the groups representing those with disabilities and told them.

They were simply not able to be here today on something that tremendously affects their lives.

Was it an oversight? Was it an intentional desire to not consult? We can only speculate. But I and much of Ontarians are offended that a barrier was constructed to Ontarians with disabilities even coming and being part of this process today. A process that talks so much about inclusion in fact excluded the disabled from the debate today.

One interesting thing in your bill is that one of the points requires that Web pages be made accessible to citizens with disabilities. Well, I think the minister now knows that it was posted on the Internet but not in a format accessible to those who have disabilities. The minister's own posting of the new ODA was not accessible to the disabled. It wouldn't have taken a rocket scientist to say that if any bill should have made sense and should have been available to Ontarians with disabilities, this was it.

That to me is reminiscent of some years ago when a cabinet minister in this government went around Ontario and actually went to a group of blind individuals to do a presentation with an overhead projector so they could see what her bill would look like at that time. We still don't get it, that we need to include them in every aspect of our life.

Minister, I believe that this government is afraid to really go and talk and listen to the 1.6 million Ontarians who have a disability. You have offered four days of public hearings across Ontario and one day here. Based on what's happening here today, when will you tell them about the hearings? The night before? The morning of? This should have been at your media conference on Monday, that it would be in the House. Surely you're better organized than it appears and you in fact knew the second reading was going to be today. So if you're not going to tell them about the debate, I have to infer that you're not going to tell them when the public hearings will be, because for so many of our citizens—I met with an individual who is deaf-blind and it was described to me how difficult it is for her to simply travel from Huntsville to Toronto, what is required to have the supports in place. That's the type of person we should be listening to. We didn't want them here today, evidently. Are we going to provide the format for them to be at the public hearings? I don't know.

You talk repeatedly about the disabled community being in charge with this, that they're able to guide, they're able to set the direction. I would flip that challenge back. If you really want them in control, will you let Ontarians with disabilities write a bill? They know exactly what should be in it to remove their barrier. They could have produced a bill for you to fine-tune. But no, you ignored the expertise and the advice that exist within. I challenge you to let the disabled community produce a bill that would be meaningful.

Let's compare this bill with another one that's been before this House, and that is the nutrient management bill. With that bill, your government referred it to com-

mittee after first reading. That infers to me that it's a pretty important bill. I've got members here with more experience. I don't think that's a normal process for it to go after first reading. You have scheduled nine days of hearing—

**The Deputy Speaker:** I'm sorry. Take your seat for a moment, please. Government members, could I remind you that the opposition members were respectfully quiet while your minister did your leadoff speech. I'd ask you to show the same respect to the representative of the official opposition. Sorry for the interruption, member. Please continue.

**Mr Parsons:** Thank you, Speaker.

For the nutrient management bill, you referred it to committee after first reading. You've allowed nine days of public consultation and you've agreed to public consultation on the regulations. I compare it to this bill, which will not go for public consultation till after second reading. It will have only four days outside of Toronto and there's not even an offer to allow public consultation on the regulations. It's very difficult to not conclude from this that this government values cows ahead of the disabled community. Nine days versus four? There's something fundamentally wrong in that when we have 1.6 million Ontarians who are having their lives adversely affected by this.

1720

And what better example of your lack of commitment than the fact that you've provided zero funding for it to happen. Not one penny has been put into the budget of this province to make sure barriers are in fact taken down or to make changes for it. But you know, you could do it without increasing taxes; you could do it without putting a burden on. This government has put a higher priority on massive corporate tax cuts than it does on the very quality of life of its most disadvantaged citizens.

If they simply cancelled or deferred the corporate tax cuts, they would be in a position to fund the cost of removing the barriers. Cancel the corporate tax cuts for your friends. Make the ODA an effective bill. There are costs associated with it in that the municipalities, whether they be cities or towns, whether they be townships, whether they be school boards, have the potential to have increased costs.

They've already struck their budget. There's not going to be anything happening in November, December, January, February or March, because they won't have their new budget till April. If they're not going to have their new budget till April and there is no funding available to implement anything, then why not defer this and do a real, genuine, open public consultation, so open that you will fund the transportation, that you will fund the interpreter services, that you will advertise it in sufficient time that the people can make arrangements to be there?

I'm afraid that one symptom of your lack of support for the ODA is the Ontario disabilities support program. The maximum that a recipient of the ODSP can receive is \$930 a month. Many receive less. I want each of you to

try to picture living in Toronto, Hamilton or Ottawa—in fact, I can say anywhere—on \$930 a month, paying for a rental apartment or paying taxes on a house—though basically sentenced to poverty, I don't think the house is a big issue—and buying food. There is absolutely no money in that. When was the last time the ODSP was raised? In 1990. That was 11 years ago. Inflation has not been rampant but it has run around 2% a year. That means, for our most vulnerable citizens, that they have had a decrease in spending power of 22%. They've had a fifth of their money taken away by inflation.

We still have money for corporate tax cuts in this province, we still had money for the \$200 cheques last year, we still have money for all kinds of media ads, but we don't have money for the disabled who are among us.

**Mr George Smitherman (Toronto Centre-Rosedale):** Shame.

**Mr Parsons:** That is an absolute shame. You're passing the costs on to municipalities because of downloading. You're already being forced to increase taxes. School boards are struggling. A public school board in my riding has got enough funding to run their school buses until about the end of February. Now you want them to assume extra costs that truly are a provincial issue.

This bill focuses primarily on mobility issues. That's an important issue. I don't want to downplay that. There's been lots of publicity over the \$5,000 fine. That was a brilliant strategy to get front page: there'd be a \$5,000 fine for parking in a handicapped parking spot. First of all, what does that mean to someone who's blind, deaf, developmentally handicapped or mentally ill? Absolutely nothing. The whole premise of this bill is focused on that \$5,000 fine.

Will that fine ever be levied on anyone? Many of you have municipal backgrounds. You know when somebody gets a \$10 parking fine how they react to it, and they call their councillor. I'm trying to picture that phone call when the \$5,000 fine is levied. The answer is, it won't be. No one will ever levy that. Even worse, that fine applies at city hall but not at the mall. You'll still see people misusing and abusing the handicapped parking spots. If they're on private property, it means nothing.

If this government wanted to do something about the parking problem, they would deal with the substantial number of counterfeit parking permits that exist right in this very city of Toronto. I have talked to representatives from the Toronto police who say that thanks to colour photocopiers, there is quite an open market for people buying. I find it abhorrent, but there are people buying counterfeit parking permits. Go and tackle that, because if there's a wrong car parked in that handicapped parking spot and the city got the \$5,000, that does nothing for the handicapped who can't park there. It doesn't solve their problem. It produces revenue for the city. Will that money taken be used to help an Ontarian with a disability? I don't think so. Making it sound like it is going to help an Ontarian—it doesn't. It generates more revenue for a municipality.

The minister refers with some pride to the Ontario Human Rights Commission, and rightfully so. We have an Ontario Human Rights Commission that we should be proud of. But they are not the answer to an Ontarian with a disability, because when there is an injustice done, when they are not permitted to take a guide dog into a restaurant, for example, they can appeal to the Ontario Human Rights Commission, which may take a year or two or longer to produce a decision, and it applies only to that individual. It does nothing for anyone else. The Human Rights Commission is intended and mandated to deal with one issue at a time and not to do a blanket decision affecting everyone in the same situation. That's why we need an ODA, something that provides rights to everyone across Ontario, not just the particular individual who has to lodge that complaint.

Some disability groups may have used the expression, "It's a good first step." I don't want to hear that. I don't believe that's a fair way to go at it. What we need is not a good first step; we need a giant leap. If we said "a good first step"—a good first step would be making the Premier's riding office in North Bay accessible to someone in a wheelchair. That's a good first step, but it does nothing for the other 1.6 million Ontarians who need a service. We don't need a small symbolic gesture; we need a massive overhaul of our thinking about how we will treat our fellow citizens with dignity and respect and how we will include them in everything that we do. Small first steps don't make it.

For all of the talk about the planning and the recommendations that will be made in this, we also need to be reminded that there aren't commitments that it will happen in a month or a year or 20 years. It's all pretty open. But the fundamental flaw that needs the asterisk in Hansard to say "not really" about it applying to everyone is it truly applies only to the public sector. For all of the talk that we've heard from this government about wanting to put people back to work, the jobs that the disabled community want to access are private sector jobs. This government talks about taking people off the government roll and putting them into private sector jobs. This doesn't apply to the private sector. It does nothing.

It can be made to apply. The legislation says that the cabinet or the government can at some time have it apply. But is that going to be another six and a half years? Will that be 10 years? Will the current members be around to make it apply? It really is so open that it doesn't drop one single barrier to the private sector.

In fact, thinking of the public versus private issue, this government has introduced and passed a bill that will provide funding to private schools. As I read it, the public schools have to make plans to be accessible; private schools don't. This bill doesn't apply to the private schools. So they're going to get money from the taxpayers of Ontario, but they won't have a commitment to remove a barrier or to provide service to an Ontarian with a disability. We worry about two-tier health care; we're well on the way to two-tier education services.

You can ask any one of your constituents, "Which do you go to more often, city hall or your shopping mall?"

and the answer is pretty clear. There are people who will never, ever have need to enter a civic building but they need to go to restaurants and need to shop. This bill doesn't apply there at all.

I don't think the costs for it to apply to the private sector are terribly onerous. We've had indications of the costs in the US where they have removed the barriers under the Americans with Disabilities Act, and over 70% of the businesses said they spent \$500 or less. I think Sears indicated they spend on average about \$42 per employee to make their workplace accessible and provide the supports. Many owners do it now. I don't think private industry is opposed to treating Ontarians with dignity. Many owners voluntarily do it.

1730

There has been a craziness for a blind individual who wishes to make application to the Ontario disability support plan. The system we have now—because we love computers with this government—is to do it over the telephone, and they need instructions on how to do it. This government doesn't produce a Braille card of instructions on how to access the funding. Yet that person can go to a restaurant chain—I won't name them but they've got golden arches out front—and they can get a Braille menu. They can walk in and they're assured of a Braille menu so that they can order a hamburger. So they can get a hamburger in Ontario if they're blind, but they can't access government services. Hopefully, this bill will deal with that at some time.

Industry says to me, "We want to make the accommodation. We want to be accessible, but we want a level playing field. If we spend the money, we want all of our competitors to spend the same money so that competitively we're in exactly the same position as we were before." Now, I'm not sure about that, in the sense that most, if not all, of these 1.6 million Ontarians with disabilities want to come into the store and spend money. They want to go in the restaurant and spend money. I hear from the Americans with Disabilities Act people that it's good business. Even if we weren't talking about humanity and compassion, it's good business to be accessible.

We have a tremendous market, particularly of Americans, who want to travel north to our wonderful country. I receive calls in my office, often on a Monday, from Americans who have been somewhere in Ontario and realized that we're nowhere near the level of providing services to the disabled that the United States is. They come assuming that they're going to be able to get into hotel rooms.

Last year the Metro Toronto hospitality industry, to their credit, voluntarily initiated a program because, they said, "It's good business; it's good neighbours. We're going to make our rooms accessible." But whether it's an Ontario person travelling somewhere around Ontario or whether it's people coming from outside of the province or country, we need to provide an assurance to them that they will have all of the services available that they need.

Minister, just a piece of very friendly advice: I've had calls from your very community, your constituency,

indicating—and I haven't gone and tried them—that the doors on your office are of such weight that some disabled have trouble opening them to get in.

**Hon Mr Jackson:** You know that's not right.

**Mr Parsons:** Well, I can only go with the callers, Minister. I'll make a run out and we can do it.

I know as government members you've been under great, great pressure to get a bill through. You've read the media, you've had calls from constituents, you've seen editorials and you know that there is pressure for you to pass an ODA, and it must bother you that you made the promise in writing in 1995 to pass it. I know you're under pressure, but I know there has been a concerted effort to not pass one. I'm asking you to stand up for your constituents on this and recognize that this bill is not the bill your constituents asked for. This is not the bill that your community truly wants. It has a great title, but it lacks profoundly in terms of substance.

As we travel around Ontario, as we talk to people, I absolutely believe now that every one of us here and everyone in Ontario has a friend, a neighbour or a relative who's disabled. I have heard it said that there are two groups of people in Ontario: those who are disabled and those who are waiting to be. I have glasses that I didn't have five years ago. Each of us will require additional support from our communities and from our province as we age, or because of a car accident or an industrial accident. Every one of us is unfortunately at risk of it and we know someone who would benefit from a meaningful ODA. Every one of us can tell a story about someone.

I spoke with one of the authors of the Americans with Disabilities Act and they said that was a driving force for them when, one day, among the elected people, they started to talk about who they knew and who needed the protection of an Americans with Disabilities Act, and each person in their elected chamber realized that they knew someone who was not being well served at the present time.

This bill simply doesn't do it. It's window dressing. While purporting to apply to everything, it applies to a very, very small segment of where a person with disabilities spends their day. It's not winter yet, but we had our first snow job when this bill was introduced. I can understand that the Premier is afraid of offending his business friends. He doesn't want them to spend money. At least, he doesn't mind them spending it at fundraisers, but he doesn't want them to spend it to serve Ontarians with disabilities. But I really, truly believe that most people want it.

I would like to read some information on that. A report submitted to the Ministry of Citizenship, Culture and Recreation by the Roeher Institute in 1997 showed that people in Ontario want an Americans with Disabilities Act. In the States, it noted that improvements in participation in post-secondary education and accessibility to public transportation improved with it. The report also observes "that accommodation of the particular requirements of persons with disabilities seems to be good business practice"—those are the words you should

like to hear—"with a significant return on investment, and that the educational and technical assistant services rendered to implement the act has been useful and well-received." This is an act that applies to everyone, covers every minute of every citizen's day. It says that it's good business, useful and well received.

The average cost to US businesses to comply with the ADA has been fairly modest. The US Job Accommodation Network reported that more than 70% of businesses reported accommodation for \$500 or less, as I mentioned. Twenty per cent of US businesses reported there was no cost to implement the ADA. For Sears, I said \$42, but the average cost was \$45 to implement it.

A 1995 Harris poll found that 70% of respondents in a national survey of senior corporate executives—these are your friends—supported the Americans with Disabilities Act and did not favour weakening it any way. Ours is such a diluted version of the Americans with Disabilities Act that it runs against what senior business officials say. The poll also found that 80% of these senior corporate executives felt that the ADA had increased the cost of accommodating people with disabilities only a little or not at all.

A recent Ontario government poll—this is your poll of 801 adults released December 22, 2000—indicated that 61% of Ontarians surveyed believed the government is uncommitted to an ODA. You haven't fooled the people. You truly haven't. That same poll indicated that 77% of people believe that an ODA should also regulated private industry, so the majority of people recognize the role of private industry in this, and 71% said that they believed the legislation should be mandatory—required rather than voluntary.

You're running counter to polls. It goes against everything you do when you ignore your polls. You've got to get back in line and get with the message. The polls say the people in Ontario want you to do the right thing. They're expecting you to do the right thing. Don't disappoint them. Don't continue the hurt.

This whole concept of "voluntary" for private industry—we don't ask the people of Walkerton to count on voluntary testing of their water. You've got regulations saying it's so important to the quality of life and to life itself that it's mandatory. I suggest to you that for an Ontarian with a disability, in many cases it is profoundly important to their quality of life and their very health that they have access. For an Ontarian with a disability, simply getting to a doctor may be such an obstacle now that it doesn't happen when it should. The user fees you have created puts them at risk in other issues.

The approach too that each municipality will have some authority to do their own thing provides no assurance to an Ontarian with a disability who wants to travel from one community to another. Whether they have access to a public building should not depend on what is the tax base for that community. Even where you're making the province of Ontario buildings more accessible, it only happens when there's going to be a major renovation or you're constructing or leasing a new build-

ing. So they cannot travel to another community with any assurance that that building will be accessible, because if it has been operated by the government in the past and continues to be, it's not.

1740

This building is a pretty fair example of that. A blind individual cannot come and get into the elevators in this Legislature. There's no Braille on the buttons, and as the elevators move up there's no bell to indicate the number of floors they've come up. From time to time, even those who are not blind will get off at the wrong floor. Can you imagine a blind individual on a wrong floor and absolutely lost? This building doesn't provide service to Ontarians with disabilities. How many individuals with wheelchairs can we accommodate in this chamber? Two, and that's all. That's a disgrace for the groups that want to come and hear the debate regarding this bill. We have no quota for any other group, but we have a quota of two if they require a wheelchair. We should all be ashamed of that.

The House unanimously approved, and that means every one on the government side approved, 11 principles that were to be adhered to in the new ODA. The minister has said, "What has the Liberal Party offered? What would they do?" We have committed that we would pass a meaningful Ontarians with Disabilities Act after full public consultation, not just in a few selected cities, and that we would adhere to and follow the 11 principles all three parties agreed to. It's as simple as that. You couldn't even follow the principles you voted for.

There is such pressure to rush it through that I have to think of the saying that says, "There's never time to do it right; there's always time to do it over." You tried once before and you didn't do it right and you had to do it over. We can't play games with the lives of our citizens and have it done over again. This is it. You have the opportunity to do something right. We have the opportunity together, as elected people, to leave a legacy of opening doors to 1.6 million Ontarians. We can positively affect their lives for the better. We should not and absolutely must not abuse the power we have in this chamber.

But there is power here. You know and I know that the majority of the power rides on that side. The government can approve or kill any bill they wish. We need to look at the track record of this government to say, "Should we be optimistic that they will put through a meaningful bill?"

I've shared with this chamber the track record for Ontarians who are deaf at Sir James Whitney School in Belleville, the abuse that took place there, and this government is saying to each of them, "Sue us. We set aside \$8 million. We've given it out. We weren't even really accountable for it. We didn't require any proof that abuse took place. We gave it out and when the \$8 million is gone, well, that's it. For the rest you can sue." These are Ontarians who are blind and vulnerable, and the government is forcing over 125 of them to sue for justice.

For the group that got the money, this government was extremely good in that it even said, "As part of the settle-

ment we agree in writing to provide counselling services," because for deaf individuals counselling services are rare and expensive. Once the agreement was reached, the government said, "We're not going to provide counselling services. We're just not." They didn't say it was money. They didn't say it was lack of services. They just said they're not going to.

An issue that has become extremely close to my heart is age-related macular degeneration. These are seniors who are experiencing the growth of extra blood vessels in their eyes that will burst and they will go blind. There was no cure for that until about two years ago. In February 2000 the federal government approved a process called Visudyne that can cure and prevent these individuals from going blind. This government that purports to care for blind individuals will not fund it. What is it? A money issue? It can't be a money issue. It costs about \$16,000. That may look like a lot of money, and I'll tell you, that's a lot of money to a senior citizen.

Last Saturday I went to a fundraiser a community put on to try to raise enough money for a senior citizen so she would not go blind. She had used every penny of her savings to pay for the first two treatments of \$4,000. She did not have the money for the next three. The first two do nothing; you need all the treatments. We had a community out fundraising to keep an Ontarian from going blind. What kind of province do we live in that will let a senior citizen go blind when there's treatment available?

Now, if you don't fund it—and you're making no move to; since February 2000, you've been procrastinating on funding it—and she goes blind, bless you, you'll give her up to \$930 a month from the ODSP. If you do the math, after 16 months it actually was a very bad financial decision. But members, this isn't a financial decision. We have Ontarians going blind and we don't care.

The \$6 million that was wasted on education ads to try to fool parents would have prevented 400 seniors in this province from going blind. You had your priorities. Do we do partisan ads for \$6 million to try to fool the parents or do we take 400 citizens who have paid taxes all their life, have contributed and built this province, and do we save their sight? No. We went with the \$6 million in glitz. And instead, we've got seniors having bake sales, selling their valued possessions, neighbours holding dances to try to keep people from going blind.

I struggle to accept that this government cares about the disabled when they're actually creating disabled through their unwillingness to fund macular degeneration treatment.

The ministries are absolutely separate entities that don't even want to talk to each other. I mean, we've got the Ministry of Education. And this bill—well, this bill's going to make sure that the doors open and that the wheelchairs can get in. That's great. The fact is that it probably already exists in our schools, because I don't know of a school board that hasn't bent over backwards to accommodate the needs. But once that door's open and the student in a wheelchair gets in, there's no educational

assistant for them any more. There's nobody to help them get around. There's no one to help them lift the books. There's no one to help them open the doors. So I wish this minister would also talk to the Minister of Education and say, "You know, we need to get some funding to you so that not only can we get the students in the building but the students can actually participate in education."

We have a parks system in Ontario that I think we're rightfully pretty proud of. How many camping spots do we have for Ontarians with disabilities? I looked through eastern Ontario and I actually found that within my immediate vicinity one park had one campsite. Here's the interesting thing about that campsite: if no one's rented it by 2:30, they'll rent it to anyone. They won't hold it. So if you don't have a disability, you can still show up at 6 o'clock and, assuming the spots aren't full, you'll get a spot. But if you're an Ontarian with a disability, you'd better be there by 2:30 or you're not going to get a camping spot because why hold it just for someone's disability? Absolutely shameful.

The most fascinating part of my role as critic for the area of Ontarians with disabilities has been meeting with Ontarians who have disabilities, who come into my office—not aggressive, looking for help—and describe to me their life. I had a gentleman come in who is 100% blind, who used to have 5% vision. What fascinated me was he said to me, "You know, Ernie, if I could get that 5% vision back, the world would be mine." Where we would think he'd be terribly handicapped, he thought, "If I get 5% back, I can do anything." He actually operates his own business. He repairs small motors. He says to me it's pretty important that you don't come in his workshop and move his tools, because he has absolutely no vision. But he had 5%. He was told that an operation would restore it. It didn't. He lost it.

He comes in and he says, "I have to live on a routine, as a blind individual. I like to walk downtown and for some reason buy groceries. And that's a pretty good day for me, except when my municipality has a sidewalk sale I can't leave my house." He can't go downtown because the sidewalk has all of the tables and the displays. He said, "I cannot make my way with a cane through the downtown area because of the sidewalk sale." I never thought about that, and I suspect most of the members here never thought about that.

He also humorously pointed out to me that they came up with what he thought was a less-than-brilliant idea, which was to hang flowerpots in the front of stores. He said, "The pots are exactly this level. I know where each of them is now. I didn't feel them with my cane; I felt them with my forehead." But again, what was a wonderful gesture on the part of the community to brighten up their downtown area for the summer was for that blind individual a significant problem. To go out and meet with council or with one of these committees is not an easy job for him to do; very difficult for a person who's blind to do it.

1750

Another interesting thing I found was about having a guide dog. Some blind individuals use a cane, but it takes

evidently about a year for them to learn how to use a cane. I would challenge any of us to try closing our eyes and walking around this building. I tried and I cheated; I opened my eyes. These are individuals who are truly blind. They can take their dog with them into a store, they can take their guide dog with them, but they can't take their guide dog with them into work. They can go in as a customer, but they can't go in as an employee. This government wants to get people back to work. Well, then, make some legislation that will allow individuals with guide dogs to go to work.

Assistive dogs: something not all of you may be familiar with. Assistive dogs are dogs for people in wheelchairs who perhaps have only very limited use of a wrist. The dogs will open doors, will help push or pull the wheelchair, will do any number of jobs. What legislation do we have in Ontario to allow assistive dogs into stores? Absolutely nothing. They're recognized as if they are a family pet, and they are not. They are an animal that makes quality of life possible for these individuals. I don't see anything in this bill that would mandate the right of people to take an assistive dog into a store or restaurant.

What does this bill do for individuals who are deaf? Not a lot. The government that wants to put people back to work in the private sector needs to know that the unemployment rate among the deaf runs between 85% and 90%, needs to know that 85% to 90% of deaf individuals are unemployed. We have provided education for them either in the regular school system or at one of the three provincial schools. Unfortunately, if they want post-secondary, they've had to go to the US for it at considerable expense, but they can't get a job.

When I talk to them, they say, "The first obstacle is"—I'm going to talk about my community—"we need to take an interpreter with us. So we actually get contacted by a firm that wants to interview us and usually when they want to interview us for a job it's the next day or a couple of days or some time that week." Because there are two interpreters who serve the three counties inside and outside of my riding, they have to book a couple of weeks, maybe three weeks, ahead for the interpreter. So they can't get an interpreter to go to the job interview and they don't get the job.

We also need to educate private industry as to the strengths, the skills and the work ethic that come from the deaf individuals in our communities. I don't see anything in here to help educate the rest of Ontario in order to give these people their opportunity. It has got to be so distressing to be fully competent, to be eager to go to work, and the government will do nothing to remove a barrier to get them in.

A young man came to me who is deaf and conveyed to me, through an interpreter, that when he has to go to see his family doctor he has to take his mother with him. When they go into the examining room his mother has to go in with him, because when he is ill he cannot wait two or three weeks for an interpreter. To say it is embarrassing is an understatement. His mother has to be there

while the doctor examines him and translates for the doctor. We have almost no doctors in Ontario who are able to do American sign language.

Then he said to me, "One time I decided I wouldn't do this any more and I went on my own. I gestured and moved and touched and pointed and did everything I could to convey what was wrong, and the doctor gave me a prescription. I took it to the drug store, I gave them money and they gave me the prescription. I got home and I thought, 'Boy, I hope he understood what was wrong with me. I hope these pills are actually the right ones for that problem,' because there was very little communication between us and I hope he understood the symptoms I was trying to describe," but he wasn't sure. Surely he's entitled to better service than that. Surely he's entitled to the assurance that there will be interpretation available for him at the doctor and at the hospital.

Say a deaf individual is in an automobile accident, heaven forbid, and ends up in an emergency ward. One of the rights that all of us have as citizens is to make an informed decision when the medical community offers advice as to what should happen. Well, there are not many emergency departments in Ontario that have the translation ability available. Certainly they try. It may be on call. They may have to phone someone who is on call who could be 10 minutes or half an hour coming in, but that may be too long. Sometimes no action is itself an action. So we're not seeing the hospitals, much as they want to, able to provide the interpreters, because there has been no impetus from this government to train interpreters, to fund interpreters and make them available to our deaf citizens.

We mentioned transportation and the difficulty that individuals face, particularly in rural areas. Almost all their transportation needs require a special vehicle, booking ahead. They simply can't get in and go for an appointment or job interview quickly.

I had a woman call with what I thought was a very simple request that's not going to be solved for her in this bill. She said, "I'm in a wheelchair. I like to go to restaurants, but I like to sit at a restaurant table with my friends. Because of my wheelchair—it won't fit under what is a standard size table in a restaurant—I have to sit back and eat my food on my lap because there is no requirement for there to be accessibility at maybe just one table in one restaurant so that I could go in and put my chair underneath and sit and enjoy a meal with my friends. Instead, I'm isolated."

This bill won't apply to restaurants. It won't cause them to have to make that table available, though again I think good business would require that they provide that. But she is very clearly identifying a problem. I've started looking around to see if that is a problem that exists. I am impressed to note that downstairs here in the Legislature we do have a table for that. Granted, it's difficult for an Ontarian with disabilities to get here and I'm not sure I'd recommend the food. Nevertheless, we need to encourage people in other industries, in private industry, to provide a service to the people.

What has this government done for the developmentally handicapped? It has not recognized at all the increase, the growth in funding for special services at home. This bill will do virtually nothing for the developmentally handicapped or the mentally ill community. This bill has focused on the very visible challenges of those with wheelchairs while ignoring the others.

Speaker, I realize I have some time left but I'm also conscious of the clock. That looks pretty close to 6 o'clock.

**The Deputy Speaker:** Thank you. It is quite close enough to 6 o'clock. Therefore, this House will stand adjourned until Monday, November 19, at 1:30 in the afternoon.

*The House adjourned at 1758.*

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 19 November 2001

Lundi 19 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 19 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 19 novembre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### KATELYN ABBOTT

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I am most proud to share a story about a very thoughtful and generous little girl in my riding.

Katelyn Abbott is six years old and lives with her family in Sydenham, Ontario. Last spring, Katie's mother read her a story in the local newspaper about an urgent need for a handicap lift in the local seniors' residence. Katie immediately decided that she wanted to donate her entire savings of \$60.40 to this cause. The residents of the home were so touched by her generous heart that Katie was asked to make her donation at a fundraising barbecue in the summer.

This was not the end of her efforts for this worthy cause. On September 26, Katie held a fundraiser in the staff room at her school, Loughborough Public School. She baked treats and offered the staff a coffee break in return for a donation toward the handicap lift in the seniors' residence. She raised just over \$145 and donated it to the elevator fund.

Katie's care and generosity have both heartened and inspired her community of Sydenham. Her thoughtfulness and generosity are a stellar example of the hope and promise in the youth of our province, and I am sure that Katie would be the first to offer thanks as well to her family, teachers and the people of her community.

Congratulations, Katelyn Abbott. People like you make Ontario a great place to live.

#### DUKE OF EDINBURGH'S AWARDS

**Mr John O'Toole (Durham):** I rise in the House today to pay tribute to the young people of my riding of Durham who have received Duke of Edinburgh's Awards. As the members of the House may know, the Duke of Edinburgh's Awards challenge youth between the ages of 14 and 25 to meet high standards of community service, expedition, skills development and physical fitness.

To receive a gold award, they must perform service to others. They must undertake an expedition of at least four

days and follow a skills development program in such areas as music, crafts, computers and collections. Finally, they must take part in a physical activity where they demonstrate participation, effort and improvement.

On Saturday, October 20, Prince Philip presented seven young people from Blackstock in my riding with gold-level certificates. They are: Rachel Bergerson, Amanda Bradburn, Monica Mason, Alex McLaughlin, Carla McLaughlin, Cameron Vernest and Miranda Wyllie. Greg Konderman, presently at the Royal Military College, also a constituent, received an award as well.

In addition, I would like to thank and congratulate Shirley Turner and Jessie Gunter for their 25 years of volunteer leadership in the Duke of Edinburgh's Awards program in the Blackstock area. They were also honoured with a special appreciation plaque from Prince Philip. Shirley Turner and Jessie Gunter have provided support and encouragement to more than 50 gold award winners and many other young people who have achieved the silver and bronze. I would like to take this opportunity to thank them for providing such dedication and leadership to the young men and women who are the leaders of tomorrow.

#### EDUCATION

**Mr Pat Hoy (Chatham-Kent Essex):** Last Thursday, Gerard Kennedy and I met with students, teachers, parents and local representatives from the elementary and secondary school teachers' federations in Chatham-Kent Essex.

Students at the Leamington District Secondary School in the double cohort year are worried and they want answers today. Will there be enough places for all of them? Will a grade 13 graduate enter post-secondary school ahead of a grade 12 graduate even if the grade 12 student has a slightly higher average?

Lambton Kent District School Board's grades 3 and 6 testing results are unfair. Board officials say 29 of its 53 schools had missing or incomplete tests, but they were forwarded intact to the province's Education Quality and Accountability Office. How can the education minister allow incorrect data to be used?

As well, the government's one-size-fits-all funding formula does not provide for late busing services for students in rural Ontario who wish to participate in after-school activities.

The flawed formula is driving school closures across Ontario. Community and rural schools are tied to the

economic, cultural and social viability of the community. They must be kept open. For this government to be wasting another \$6 million on a phony survey campaign while students in overcrowded classrooms go without textbooks, education assistants and guidance counsellors is absolutely irresponsible. This money should be put back into the classrooms. Our students should and must come first.

#### CARLO CATTARELLO

**Mr Gilles Bisson (Timmins-James Bay):** I have the pleasure today to honour a local citizen from the riding of Timmins-James Bay, none other than Carlo Cattarello. Many people across the province would know Carlo because he's one of the individuals who worked for a number of years—since the 1930s, in fact—organizing minor hockey, organizing boxing matches, organizing all kinds of sports across the communities of Timmins and Kapuskasing, where he was involved for many years.

Back in October of this year he was awarded the Order of Canada by none other than the Governor General herself. We had in the city of Timmins on Saturday an event at 2 o'clock at the Shania Twain Centre where people from across the province, and in fact from across our country and across our communities, came together to honour Carlo for his many years of service. Unfortunately, I was unable to attend because I was at another event on the same day. Large ridings make it difficult to attend all events at all times.

I want to use this opportunity to congratulate Carlo and his family for the many years of service he's given to the communities across the Timmins-James Bay area, but as well to the many people who have benefited from the work of Carlo over the same number of years dating back to the 1930s. I think it's a rare occasion when we have an opportunity to honour somebody who has made so many contributions to the province of Ontario such as Carlo has for a number of years.

So on behalf of all of those here in the Legislature, I want to extend my congratulations to Carlo on receiving the Order of Canada and wish him well in the many years that I know he has in the future to work on many other projects for the citizens of the area.

#### MIKE WEIR

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** Today I would invite the members of the Legislature to join me in recognizing and extending our congratulations to Lambton county's very own Mike Weir.

On November 4, Mike claimed his third PGA tour event in dramatic fashion at the tour championship in Houston, Texas. It was his first win on US soil. He did so with a birdie in a four-man playoff over a field that featured the world's very best professional golfers. Mike's victory earned him \$900,000 and increased his winnings to more than \$2.7 million, but more important, Mike showed the world that Canadians, and especially

Ontarians, can compete at the highest levels of competition and win. Indeed, Mike's commitment to hard work, dedication and excellence have served him well, while bringing honour and distinction to himself, his family, the people of Ontario and his many friends in Lambton county.

Mike would probably say the key to his success is hitting the ball straight. As a member who sits on this side of the House, I would say the key to this government's success is telling it to the people of Ontario straight. Though we on this side of the House have been both praised and criticized for how we govern this province, we say that by staying the course of tax cuts, creating new jobs and investing in world-class health care and education systems, the people of Ontario will continue living in a land of peace, prosperity and purpose.

Finally, while Mike has enjoyed great success, he would probably tell you his best is yet to come. Likewise, for the people of Ontario and for this Progressive Conservative government, we too believe our best is yet to come.

#### THEATRE IN SARNIA-LAMBTON

**Ms Caroline Di Cocco (Sarnia-Lambton):** Sarnia-Lambton will be enjoying a special season in theatre in the spring. Theatre Sarnia and the Imperial Theatre will host the Western Ontario Drama League in March 2002. As well, Sarnia Imperial Theatre will proudly host Theatre Ontario, featuring the four best plays in all of Ontario, to take place in May 2002. This event is significant as it develops cultural tourism, provides economic benefits and gives the opportunity to people to be entertained and enjoy great theatre.

The Western Ontario Drama League was founded by D. Park Jamison in 1932. It plays a vital role in Ontario's theatre industry.

This annual event promotes the development of theatre arts and artists in Ontario. It provides for accessibility of western Ontario communities to theatre training and resources at a high level of excellence and professionalism.

Congratulations to Theatre Sarnia and the Imperial Theatre for hosting the Western Ontario Drama League and Theatre Ontario in May 2002. These premier festivals are a valuable venue for showcasing great talent from the region and around the province.

1340

#### RAMADAN

**Mr Bob Wood (London West):** As many members of this House will know, over one billion Muslims throughout the world will be observing a month of fasting during Ramadan, which started November 16 this year. Muslims regard Ramadan as a spiritual tune-up, as a time for inner reflection, devotion to God and self-control.

The third pillar or religious obligation of Islam, fasting has many benefits, the most important of which is that it teaches self-control. Ramadan is also a time of intensive worship, reading of the Koran, giving charity, purifying one's behaviour and doing good deeds. In fulfilling the teaching of their faith, they demonstrate to us a commitment to righteousness and a compassion for the needy, qualities to which we can all aspire.

Ramadan will end with the celebration of the feast of Eid Al-Fitr in about one month's time. At that time, Muslims will gather for prayers and then exchange presents and share alms with the needy so that all members of the community may be able to celebrate together.

Ramadan has been observed for many centuries, but the events of earlier this year remind us again of the importance of spiritual renewal for both Muslims and non-Muslims.

I know I speak on behalf of all members of this House in extending greetings to the Muslim community of Ontario and in wishing them "Ramadan Kareem and Eid Mubarak." These greetings, which in Arabic mean, "May you have a month of giving and a blessed feast," speak to the central meaning of Ramadan.

#### CONSERVATIVE LEADERSHIP

**Mr Dwight Duncan (Windsor-St Clair):** It was with great interest that we welcomed the former Treasurer, the Finance Minister, into the Tory leadership race. We were interested to see how he's distinguishing himself from Mr Flaherty on the question of education tax credits. He's going to make regulations apply to these private schools that Flaherty and his gang don't want.

But you know, if it walks like a duck and it quacks like a duck, it's a duck. This policy just isn't going to fly. The only real leadership on the education tax credit system is coming from Dalton McGuinty. We will scrap the private school voucher on education, and we will do that in about two years' time, when we come to office.

Why will we do that? Because it's just like everything else they're about: they do not have the interests of Ontario's working families at heart. They do not have their priorities straight. They'd rather give tax cuts to corporations when the economy is falling than legitimate help to working families whose parents are in hospitals, whose kids need textbooks. That's why they all look alike, they all sound alike, they all fly alike and, like the proverbial turkey, it's just not going to get off the ground.

#### HOME FOR AUTISTIC YOUTH

**Mrs Tina R. Molinari (Thornhill):** Yesterday I had the pleasure of attending the opening of the Heather and Martin Goose Home for Autistic Youth in my riding of Thornhill. The home is part of the Reena Foundation, a non-profit social service agency located in Thornhill that is dedicated to integrating individuals who have developmental disabilities into the mainstream of society.

Through the generosity of Heather and Martin Goose, Reena has opened a home for autistic youth. The Goose family charitably donated \$100,000 to Reena for this project. It was a great celebration yesterday, and the event was attended by many parents whose children will benefit from the home.

One of the parents described what a positive impact the home will have on her son and her family and thanked her MPP, Dave Tsubouchi, for all his support in their efforts to find a placement for their son.

Reena is able to do great work in the community of Thornhill, and it's through the generous donations of people like Heather and Martin Goose and the time of the volunteers who help out at Reena that the good work will continue.

I would like to take this opportunity to thank Heather and Martin Goose for their contribution and the Reena Foundation for their tireless effort in consistently seeking partnerships to improve the lives of our precious special residents.

#### ESTIMATES

**The Speaker (Hon Gary Carr):** I beg to inform the House that pursuant to section 30 of the Members' Integrity Act, I have today laid upon the table a request from the member for Toronto Centre-Rosedale to the Honourable Coulter Osborne, Integrity Commission, for an opinion on whether the Honourable James Flaherty, Minister of Finance, has contravened the act or Ontario parliamentary convention.

Standing order 62(a) provides that "The standing committee on estimates shall present one report with respect to all of the estimates ... considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

The House not having received A report from the standing committee on estimates for certain ministries on Thursday, November 8, 2001, as required by the standing orders of this House, pursuant to standing order 62(b), the estimates before the committee of the Ministry of Tourism, Culture and Recreation, the Ministry of Community and Social Services, the Ministry of Training, Colleges and Universities, the Ministry of Transportation, the Ministry of Northern Development and Mines, the Ministry of Natural Resources and the Ministry of Intergovernmental Affairs are deemed to be passed by the committee and are deemed to be reported to and received by the House.

Accordingly, the estimates for 2001-02 of the following ministries were deemed to be passed by the standing committee on estimates and were deemed to be reported to and received by the House:

**Clerk at the Table (Ms Lisa Freedman):** Ministry of Tourism, Culture and Recreation: 3801, ministry administration program, \$4,563,100; 3802, tourism program, \$62,851,900; 3803, culture program, \$140,745,800; 3804, sport and recreation program, \$23,151,300; 3805, policy and agency partnerships program, \$101,564,100;

3806, tourism, culture and recreation capital program, \$64 million.

Ministry of Community and Social Services: 701, ministry administration program, \$27,930,800; 702, adults' and children's services program, \$7,834,067,200.

Ministry of Training, Colleges and Universities: 3001, ministry administration program, \$9,790,000; 3002, post-secondary education program, \$3,087,229,500—

**Interjections:** Dispense.

**The Speaker:** Dispense? Agreed.

## INTRODUCTION OF BILLS

### TENANT PROTECTION AMENDMENT ACT (FAIRNESS IN RENT INCREASES), 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LA PROTECTION DES LOCATAIRES (AUGMENTATIONS ÉQUITABLES DES LOYERS)

Mr Caplan moved first reading of the following bill:

Bill 134, An Act to amend the Tenant Protection Act, 1997 to ensure fairness to Ontario's tenants / Projet de loi 134, Loi modifiant la Loi de 1997 sur la protection des locataires en vue d'assurer un traitement équitable des locataires de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr David Caplan (Don Valley East):** My bill, if passed, would amend the Tenant Protection Act in two major ways. First, it would ensure that rents are not increased beyond the guideline if there are outstanding work orders. Second, the bill would ensure that above-guideline rent increases are rolled back if the landlord either ceases to incur the costs that justify the increase, either capital repairs or utilities, for example, or if a mutually agreed-upon rent increase meets those conditions.

This bill would provide fairness and balance for tenants to ensure they do not have to pay capital improvements, increases in utility costs and other such increases in perpetuity.

My bill is the right step toward building some fairness back into the rental market for tenants in Ontario, who have been attacked on all sides by the government, and I look forward to debating it here in the Legislature.

### HERITAGE HUNTING AND FISHING ACT, 2001

#### LOI DE 2001 SUR LA CHASSE ET LA PÊCHE PATRIMONIALES

Mr Snobelen moved first reading of the following bill:

Bill 135, An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission / Projet de loi 135, Loi visant à reconnaître le patrimoine de la chasse et de la pêche sportives en Ontario et à créer la Commission du patrimoine chasse et pêche.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon John Snobelen (Minister of Natural Resources):** I know the opposition critics have already been briefed, so I will make a very brief statement.

The Heritage Hunting and Fishing Act was a Blueprint promise by our party in 1999 to legally recognize the right of all Ontarians to hunt and fish. The proposed new act does not change current laws that regulate hunting and fishing in Ontario and provide protection for fish and wildlife habitat.

We recognize that society values the principles of conservation, fair chase and humane dispatch, the consumption of harvest and safety. The government will continue to set standards and policy to help ensure that hunting and fishing are managed in a sound, sustainable manner and in accordance with ethical and humane practices.

There is strong support for this legislation. The act, if passed, will mean that the proud and established tradition of recreational hunting and fishing will be preserved in Ontario subject to law and regulations.

## VISITORS

**Hon David Young (Attorney General, minister responsible for native affairs):** On a point of order, Mr Speaker: I thought that you and the other members of this assembly might wish to know that we have two very special guests sitting in the members' gallery. We have with us today Steve and Jane Kerper. Jane is the current president of the Bayview Village Ratepayers' Association and Steve is a past president. I wanted to acknowledge their great work in the community and their presence here today.

## MOTIONS

### HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, November 19, Tuesday, November 20, and Wednesday, November 21, 2001, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.  
*The division bells rang from 1353 to 1358.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Galt, Doug	Newman, Dan
Amott, Ted	Gilchrist, Steve	O'Toole, John
Baird, John R.	Gill, Raminder	Ouellette, Jerry J.
Barrett, Toby	Gravalle, Michael	Parsons, Ernie
Beaubien, Marcel	Hardeman, Ernie	Peters, Steve
Bradley, James J.	Hastings, John	Phillips, Gerry
Bryant, Michael	Hoy, Pat	Ramsay, David
Caplan, David	Hudak, Tim	Runciman, Robert W.
Christopherson, David	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Sergio, Mario
Coburn, Brian	Kells, Morley	Snobelen, John
Colle, Mike	Klees, Frank	Spina, Joseph
Conway, Sean G.	Kwinter, Monte	Sterling, Norman W.
Cordiano, Joseph	Levac, David	Stewart, R. Gary
Crozier, Bruce	Maves, Bart	Stockwell, Chris
Cunningham, Dianne	Mazzilli, Frank	Tilson, David
Curling, Alvin	McLeod, Lyn	Tsubouchi, David H.
Di Cocco, Caroline	McMeekin, Ted	Turnbull, David
Dombrowsky, Leona	Miller, Norm	Wettlaufer, Wayne
Duncan, Dwight	Molinar, Tina R.	Wilson, Jim
Ecker, Janet	Munro, Julia	Wood, Bob
Elliott, Brenda	Murdoch, Bill	Young, David
Flaherty, Jim	Mushinski, Marilyn	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
Hampton, Howard	Martel, Shelley	
Kormos, Peter	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 68; the nays are 7.

**The Speaker:** I declare the motion carried.

## ORAL QUESTIONS

### FISCAL AND ECONOMIC POLICY

**Mr Gerry Phillips (Scarborough-Agincourt):** To the Minister of Finance: in the past 24 hours, we've heard the troubling news. You're now saying that the fiscal situation is dramatically worse than you thought just two weeks ago. I understand there's a \$5-billion gap to close, according to the government, and you're looking at significant reductions in support for education, community services and other things. The one thing that is going ahead full speed is your corporate tax cut, designed to cut taxes by \$2.2 billion and, importantly, to get them 25% below our competitors in the US.

My question is this: now that you've acknowledged the seriousness of our fiscal situation with this \$5-billion gap, will you commit to at least review this decision to proceed with this \$2.2-billion corporate tax cut to get the corporate taxes 25% below the US?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Our concern remains economic growth and prosperity in Ontario. It is because of economic growth and prosperity in this province that we're able to fund the important social programs like health care, like education, at record levels in Ontario. The sine qua non is economic growth. We've seen that in the province of Ontario. We've seen that through tax cuts, not only personal income tax cuts but corporate tax cuts, which encourage investment in this province, thereby creating jobs.

**Mr Phillips:** You've indicated in the media that there clearly is enormous pressure on our support for public education. When you exclude health spending, public education spending is over 40% of our Ontario budget, so if you do in fact have a \$5-billion gap, public education is going to be under enormous pressure. At the same time, in just six weeks you're planning to provide private schools in the province with the beginning of at least \$300 million of public support.

My question is this: recognizing the seriousness of our fiscal situation, will you at least today agree to commit to review this decision to provide \$300 million of public support for private schools?

**Hon Mr Flaherty:** The equity-in-education tax credit during the first fiscal year is \$15 million. That's the cost in the first fiscal year in which it's applicable.

With respect to health care spending, I'm glad the member opposite recognizes that we are spending record sums of money on health care in the province, having moved from 38% of program spending in 1995 to 45% now, and moving forward year and year after that to a point where we may well be spending 60% of the program income on health care unless we get some support in the partnership that we're supposed to have with the federal government in Ottawa. That's the key.

I read in the papers this morning about the large surplus, the \$10-billion surplus, in Ottawa. I urge the member opposite to speak to his federal Liberal counterparts and say to them, "If you're going to mandate national health care in this country, then surely you have to partner with the provinces and the territories and use some of your surplus for that purpose."

**Mr Phillips:** Let me get this straight, Minister. You're prepared to take a hatchet to public education. You say you've got a \$5-billion gap, but you're not prepared to consider, to even look at, the possibility that you've made a mistake in getting corporate taxes 25% below the US and in providing at least \$300 million—and that's your figure—of public money to private schools.

I say this again, Minister: you've told us that the fiscal situation is dramatically worse than just two weeks ago. It is a significant problem, a \$5-billion gap. I say to you again, tell the people of Ontario why you're not even prepared to look at, to consider, the decision to cut corporate taxes 25% below the US and to proceed with a \$300-million plan to support private education when you already know public education is under the knife and under the gun. Why won't you commit to those reviews?

**Hon Mr Flaherty:** Tax reductions work to create jobs in the province of Ontario. That's been proven over the past six years, since the election of the Mike Harris government in 1995.

I'm not surprised the member opposite and some of his colleagues don't understand that by reducing taxes, you create more economic activity. They mismanaged the economy from 1985 to 1990, and we have to live with that mismanagement. Ask yourself opposite where we'd be today if we didn't have to spend \$9 billion this year serving the public debt. That's the problem with Liberal mismanagement and NDP mismanagement in the province from 1985 to 1995. We could use that \$9 billion for health care, for education, for social services, but no; you say, "Increase the public debt. Don't reduce taxes. Don't have that investment in the province. Don't have that increased revenue for Ontario." I tell you, it's been proven for the last six years that tax cuts create jobs and they create more revenue for Ontario.

#### CHILD CARE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is to the Minister of Finance. Today in Ontario, the government provides subsidies to help 7,000 families pay for child care. Without this support, these working families would not be able to afford quality child care for their children. The government also provides wage subsidies for workers in child care facilities. This enables child care facilities to offer quality care at affordable rates.

Last week, Ontarians, particularly families with children, were shocked to read in a national paper about a leaked document where your government plans to slash \$200 million from the child care budget. That's a 37% cut in funding.

Minister, today in the gallery are many parents and caregivers who are concerned and worried about the support your government provides for child care. Will you stand in your place today and guarantee you will not cut child care in the province of Ontario?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** To the Minister of Community and Social Services.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** We recognize that for many Ontario families, child care is an important resource that lets them balance the problems of work and family. It's tremendously important for them. We spend a terrific amount on child care, well in excess of the \$500-million-plus that we spend in the institution-based child care system. We also spend a considerable amount on the Ontario child care supplement for working families.

The member opposite talks about a document, one which I don't think she's read, from the substance of her question. It's a draft document with preliminary options, discussion, with potential options, and one that was

judged to be of such insignificant importance that it didn't reach my desk.

**Mrs Dombrowsky:** Minister, your government is no friend to child care in this province. Last year, you received \$114 million from the federal government in the early child development accord, and not one cent of it went to child care. Your government has funded child care at a rate 17% below what it was funded when you came to office. Your government has refused to pay more pay equity adjustments for child care workers beyond 1998. Now the prospect that you would cut 45% from the child care budget strikes panic in the hearts of families and their caregivers.

Will you guarantee today that you will not take one more cent away from the child care budget in this province?

1410

**Hon Mr Baird:** I can certainly guarantee the member opposite that we'll continue to show a lot of leadership and a lot of support to children, support and programs and services.

The member opposite talks about pay equity. This government spends more supporting pay equity than any government in Ontario's history. This government has been a leader in that regard. We spend more supporting parents in their child care options than any government in Ontario's history. We're spending more on child care, in fact, than the honourable member's party, in A Clear Vision for Ontario's Future, committed to spend.

The member opposite also talks about the federal support for early childhood development. The member opposite gave me some advice on what we should do with that federal money. On May 1, she wrote me and said we should spend the money on autistic children, not on child care. If she has been so strong on that issue, maybe she should have exercised some leadership before those decisions were made.

**Mrs Dombrowsky:** Minister, your priorities are crystal clear. Your ministry has initiated a plan to cut \$200 million from child care, yet your government has fast-tracked its plan to give corporations a \$2.2-billion tax cut. Working families and children in Ontario will be made to pay for your corporate tax cuts. My office has been deluged with letters, e-mails and phone calls from people who are indignant that this government would so callously consider pulling resources away from families and children to give to your corporate friends.

All I'm asking from you today is a commitment that you will not pull one more cent away from the very few that you're providing already for child care in Ontario.

**Hon Mr Baird:** The member opposite, the spokesman for her party, never lets the facts get in the way. This is another example of that today. We're spending a record amount supporting child care. In fact, in this year's budget we've budgeted to spend more money than we spent last year. The member opposite didn't mention that. The member opposite fails to look at the facts.

*Interjection.*

**Hon Mr Baird:** The member opposite doesn't want to hear the answer, so I won't bother.

## FISCAL AND ECONOMIC POLICY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance. We learned today that your government is examining the details of cutting 5% from the health budget. But at the same time as you're cutting 5% from the health budget, you are reducing corporate taxes in this province by another \$2.4 billion.

Can you tell the people of the province why reducing taxes for your corporate friends by another \$2.4 billion is more important than the health care services that people across Ontario need?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Reducing taxes creates economic growth. Economic growth gives us additional revenue. Additional revenue gives us the opportunity to fund important social services such as health care and education.

**Mr Hampton:** After all of the corporate tax cuts, after all of the income tax cuts for the well-off, after all of your gifts to your corporate friends, one would think the economy would be incredibly buoyant; instead, it's headed in the other direction.

But I want to ask you about another element of this. At the same time that you're extending the \$2.4 billion in corporate tax reductions, you're also going to implement a further \$1-billion reduction in income taxes this year, most of which is going to the well-off. At the same time you're doing that, schools across Ontario are closing libraries, being forced to limit special education, closing community pools and generally telling children, "Sorry, we don't have money for more textbooks."

Can you tell us, please, why do your corporate friends and the well-off need another \$3.4 billion altogether while you now go about cutting yet again the schools and the education services our children need?

**Hon Mr Flaherty:** I'm so disappointed. It was only two or three weeks ago that the leader of the third party was advocating tax cuts. He was advocating a reduction in the retail sales tax in Ontario, and now he's against tax cuts. Now he's saying, "Don't reduce the personal income taxes of hard-working families in Ontario. Don't reduce the taxes on small and medium-sized business and, yes, larger business so they can invest more in the province and create more jobs in Ontario. Don't do that. Don't grow the economy in Ontario so that we have more jobs and more wealth and a higher standard of living. Don't do those things. Do what we did: mismanage the economy. Grow the public debt. Create a deficit. Push taxes on to our children and grandchildren."

That was the NDP and Liberal philosophy from 1985 to 1995. What a mess you left. Thank goodness Premier Harris and this party turned that around so that we have a solid foundation now in Ontario; and yes, tax cuts are a very important part of the progress we've made in Ontario. We will stay the course.

**Mr Hampton:** Here we are now, headed into recession, and what is the response from this government? "Cut the very services that people across this province need. Cut health care. Cut child care. Cut our schools and

education. Cut the Ministry of the Environment." Minister, the reality of this situation is that your corporate friends haven't had enough. Your well-off friends, in terms of income taxes, haven't had enough.

The priority ought to be for your government to fund the services that people need so that in these very difficult times they will not have to choose between using the money to put food on the table or to pay for textbooks and school supplies for their children. Minister, don't you get it? Your corporate friends have had enough. Your high-income friends have had enough. It's time now to look after the priorities of the average person across Ontario: their health care system, their schools, their libraries, the environment and the water they need to have protected, and the child care services that working people across this province need if they're going to be able to go to work. Do you recognize that? Will you finally recognize that?

**Hon Mr Flaherty:** I know that the prescription of the member opposite to solve the challenges in Ontario is big government, big spending, big taxes, big deficits—pushing taxes on to our children and their children. That's all running deficits is. It's just pushing taxation on to the next generation. It's shameful for governments to do that, quite frankly. It's not responsible for governments to do that. It's fiscal mismanagement. The Liberals did it from 1985 to 1990. You did it from 1990 to 1995. We were left with a mess in 1995, but thank goodness Premier Harris had the courage to make the difficult decisions to turn this province around so that we have a solid foundation now. I'll tell you, they were difficult decisions. If they had been easy decisions, the Liberals and the NDP would have made them, and they didn't.

## CHILD CARE

**Ms Marilyn Churley (Toronto-Danforth):** I want to ask the Minister of Community and Social Services why he is prepared to sacrifice the health and well-being of our children on the altar of corporate taxes. Your own leaked document suggests that you were actually considering the absurd: huge cuts to Ontario's family resource centres and regulated child care. And this is after the 15% cuts that your government has made to child care since you came into office in 1995.

Child care advocates have responded to this news with outrage, and they are here today to express that outrage. I don't know if the minister knows, but in the city of Toronto alone there are up to 16,000 families on the waiting list for regulated child care. I am calling on you now to denounce this suggestion quickly and unequivocally. Reassure Ontario families who now fear that their child care is at risk and guarantee to them that Ontario's regulated child care budget will be protected.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** We recognize that child care is an important resource for families trying to balance off the needs of work and

family. The member opposite discusses a document that was labelled "draft," that was labelled "preliminary for discussion purposes," listing some potential options. The document in question did not even reach my desk because it was deemed that it wasn't of enough merit to create a child benefit using those resources in question.

We're proud of the significant investments we've made in supporting the range of children's supports—Healthy Babies, Healthy Children—supporting young children with autism, supporting children's treatment centres that provide services and supports to young children with diseases like spina bifida. We're very proud of those investments.

1420

**Ms Shelley Martel (Nickel Belt):** Will you denounce the leaked document and will you assure parents that the child care budget and family resource budget in the province is protected? You know, Minister, that any further cuts to regulated child care or family resource programs will destroy these important services for children.

I have a package of letters from parents and staff who wrote to me this weekend to express their concerns. I'm going to send some to you. Let me read some of the comments:

"I am appalled that your ministry would even contemplate cuts to the province's child care system.... Why are women and children always the first to suffer in an attempt by your government to squeeze yet more money out of the most vulnerable members of our society and the dedicated workers who care for and educate young children?" Lee Gold of Toronto.

A second one, from Debbie Babington of Toronto:

"Could this government be so driven by its commitment to corporate tax cuts that you would go to such extremes? Do you realize that when working mothers or fathers don't have"—child care they—"have to quit their job?"

Your government has \$2.3 billion for your friends in the corporate sector. Where is the money to protect and enhance regulated child care and family resource programs in Ontario?

**Hon Mr Baird:** Let's look at the facts. Last year we spent \$521 million supporting the very child care the member opposite talks about. What did we put in the budget to spend this year? Not \$521 million. Thank goodness we didn't fight to protect what we spent last year, because the Minister of Finance gave us \$523 million. So when the member opposite talks about a cut, the member opposite doesn't know what she talks about. That's in addition to the Ontario child care supplement for working families, where we're spending more than \$200 million to support parents in making their choices.

The NDP supports choice in child care as long as it's their choice. We trust families, we trust parents to make their own decisions on how they can fund child care for their own children. The member opposite, when she was in government, chose to borrow tens of billions of dollars on the backs of the next generation. That led to less hope,

less opportunity and more despair in this province. We won't allow her and her party to turn back the clock.

**The Speaker (Hon Gary Carr):** On a point of order, the Minister of Finance. Stop the clock.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I sit in the row ahead of the minister and I couldn't hear the answer to the question.

**The Speaker:** Thank you very much. New question?

## EMERGENCY SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** This is for the associate Minister of Health. Minister, your government has tried to deny the problems of emergency room overcrowding by simply burying the information about critical care bypasses. We now know that the situation is getting worse. Ambulances are being tied up even longer just trying to get people into emergency rooms. People are still lying on stretchers in hallways and they're waiting even longer for a hospital bed. We learned this weekend that almost one quarter of ambulances serving the city of Toronto are waiting more than an hour just to transfer their patients into the hospital's care. I'm sure you must understand that when paramedics are waiting in hospital corridors and parking lots, they are not available to answer the next emergency call.

Ron Kelusky, the manager of the city's ambulance service, makes it absolutely clear once and for all. He says this is a capacity issue. That means hospital beds, Minister.

Ontario has the lowest number of acute-care beds per capita in this country. Will you finally stop closing hospital beds and start opening the 1,600 acute-care beds that Dalton McGuinty has been calling for?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Let me say that all of the health care partners are working together to ensure that we have the best emergency services across Canada. Let me also say that Toronto has been working very hard with the Ministry of Health to ensure that we have emergency services in the GTA. Our government has invested over \$750 million since 1995 on initiatives that would improve emergency room access, and we've equipped hospitals better. We've also made substantial commitments to ensuring that people move through the emergency rooms quickly and they have the ability to either move into acute-care beds or out into long-term-care facilities. This government has made quite a commitment to ensuring that we have the best health care system in Canada.

**Mrs McLeod:** Minister, I'm afraid that answer means absolutely nothing to the parents of Joshua Fleuelling, who were here at the Legislature today. They were here two years after their son died. They were here a year almost to the day, after the inquest into Joshua Fleuelling's death called on your government to stop closing hospital beds.

The Fleuellings were here because they don't believe that you or your government have paid any attention at

all to that inquest report; and they're right, because you haven't stopped closing beds—another 100 closed just last year. Hospitals in the Toronto area are operating at over 95% of their capacity.

Minister, you should know that Dr Michael Schull of Sunnybrook Hospital has done an intensive study into emergency room overcrowding, and his research puts the responsibility directly on your government and the chaos of hospital restructuring. His research shows that emergency room overcrowding intensified when your government started restructuring hospitals.

Minister, I say to you that the problem lies with the chaos of hospital restructuring. It lies with the 6,000 acute-care beds that your government has cut. It lies with your refusal to provide adequate funding for hospitals or for long-term care or for home care. Will you face the realities of the health care needs of the people of this province, or will you keep failing people like Joshua Fleuelling?

**Hon Mrs Johns:** Let me say that, of course, on the one-year anniversary of the inquest, we send our deepest sympathies out to the family. But let me say that the solution to this lies in a multifaceted plan which this government is implementing.

We have, as you know, opened 20,000 long-term-care beds to make sure that people who come into emergency rooms who need to get out to a long-term-care facility have that. We have opened 2,300 of those beds; 6,000 by the spring and 20,000 by 2004.

In addition, we have put \$570 million since 1995 into initiatives to improve hospital ERs. In December 1999, we announced a \$23-million, 10-point plan for Toronto and the GTA to ensure that there was emergency room capacity, and this included 200 flex beds—I don't know why it's not being recognized—12 flex ICU beds; enhancing discharge planning in Toronto. We've done a lot of work. Do we need to do more? Absolutely. We continue to. This health care system will be the best in the world.

#### YOUTH CRIME PREVENTION

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Solicitor General. Minister, as everyone knows, we here in Ontario have the best police around. In fact, everyone in this House will have a chance to thank them personally tomorrow when the Police Association of Ontario comes to Queen's Park to meet with MPPs.

It's often been said—in fact you yourself, Minister, have said it many times—that the police cannot do the job alone; they need the public's help. This past summer you gave Crime Stoppers \$200,000 for its after-hours operations. I'm wondering if you would tell this House how this morning you continued our government's commitment to helping the police and Crime Stoppers in the area of youth crime.

**Hon David Turnbull (Solicitor General):** I thank the member for Scarborough Centre for this question. Crime

prevention is indeed everybody's business, particularly the question of reducing youth crime.

Today I was pleased to announce \$200,000 of support for the expansion and enhancement of the student Crime Stoppers programs in schools all across Ontario. In this program students are encouraged to support police by providing information to solve crimes by using the hotline. Schools are addressing the very important issues of bullying, drug use and youth gangs.

Since 1997 our government has provided \$1.7 million in grants for youth programs. In September of this year I provided \$2 million for the youth crime and violence initiative to enhance community safety.

**Ms Mushinski:** Thank you for that response, Minister. I know that the Harris government believes that all people should respect the law. What other programs and initiatives are in place to help our police and to help young people avoid a life of crime?

**Hon Mr Turnbull:** This year adequacy standards were brought to bear so that every police service would have to have policies on the investigation of youth crime. The OPP, as well as municipal police services, sponsors a number of community-based programs aimed at reducing youth crime.

My ministry, together with the Ministry of Education, has developed a provincial model for local police and school board protocols. This identifies 23 elements which require effective police response in school-related incidents. These cover school reporting procedures, information-sharing and disclosure, policing interviews and reporting of suspected child abuse. Of course, the justice partners in our various ministries are still advocating on behalf of the people of Ontario to have meaningful federal changes to the youth justice legislation.

1430

#### GOVERNMENT CONTRACT

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Labour. On Friday we learned that Glen Wright, chair of WSIB, a government agency that reports to you, while serving as chair of the board also worked for over \$100,000 in untendered government contracts through the Ministry of Health of former Minister of Health Witmer.

Mr Wright was earning \$123,000 in a part-time position. The integrity of the chair of the board and what it means to injured workers is extremely important. It is not a political job. It cannot be defined by party politics; it cannot be partisan politics. We believe it is inappropriate for the chair of the Workplace Safety and Insurance Board of Ontario to be doing political work on behalf of the government of the day. I think the integrity of the board is at stake.

I ask you today, in view of that, will you do the appropriate thing and either ask Mr Wright to resign or fire him as chair of WSIB?

**Hon Chris Stockwell (Minister of Labour):** I think it's a quantum leap to suggest that the work that was

being done was partisan political work. What Mr Wright was doing was arbitrating a case between the Canadian Medical Protective Association and the OMA with respect to malpractice insurance. Now, be fair. In your wildest dreams, how can somebody's arbitrating a case between the OMA and the medical protective association with respect to malpractice insurance be partisan political work? Give your head a shake. It's work that is done every day by arbitrators. We didn't appoint him without recommendation. The appointment was requested by the Canadian Medical Protective Association and the OMA. They requested Mr Wright. Mr Wright's contract to chair at the WSIB is done on a part-time basis. If anything you said in your question was accurate, you'd shock me. I'm not shocked.

**Mr Agostino:** I guess we're to believe that it's strictly a coincidence that a man who is a close friend of Premier Harris and a close confidant of the Minister of Health at that time, Elizabeth Witmer, someone who will be working on Mrs Witmer's leadership campaign, just happened to be chosen, untendered, as the individual to receive a \$100,000 contract.

The appointment became full-time on October 1, 2001, and the salary went from \$123,000 to \$250,000. Mr Wright's job and consultant contract continued till October 31. So for a one-month period, while being full-time chair of the board, he was still working as a consultant and, in this coincidence, happened to be chosen by the health ministry without the health minister's involvement? That is ludicrous, Minister. Give your head a shake, because you're trying to defend the indefensible here.

The WSIB has to be free of political interference. The fact that Mr Wright, your appointment as chair of that board, is also doing political work puts in question the integrity and the independence of the board. Again, Minister, will you do the right thing today? Will you fire Mr Wright as head of the WSIB and let him go on and do his free or paid political work on behalf of the government of Ontario?

**Hon Mr Stockwell:** Mr Speaker, I'll remember not to use my more provocative comments in the first question, because they were used in the supplementary by the member opposite.

The system is very clear. The two parties who were trying to negotiate an agreement agreed on Mr Wright. Mr Wright got appointed to a part-time job. What's political about that? I don't understand. He is in that business. That's what he does for a living. He said, "I'm appointed to the chair. It's a part-time appointment." The request was made by the two parties to put him in, and suddenly we've got another ORC brewing in Mr Agostino's mind.

There's nothing to this. It's another Agostino fantasy. It's another flight of fantasy on the member's part where he slams this place, he smears people who associate with the government and he slanders individuals. Nothing to it. Typical attack by the member for Hamilton East. The best we should do is just ignore it, because even responding lends credence to an absurd question.

## GRAPE AND WINE INDUSTRY

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, as you know, the grape and wine industry is of vital importance to the province of Ontario and especially to the region of Niagara. We've done a lot as a government to help the grape and wine industry. We've brought in VQA legislation, and we've brought in changes for direct delivery. I'm wondering what you're doing since you've become Minister of Agriculture to ensure that this vital contributor continues to create jobs and economic growth in the future.

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I'm pleased to report to you that our government has supported and will continue to strongly support the grape and wine industry; in fact, it's an industry that generates \$338 million in sales every year. With every \$10 million in sales, that generates \$14.8 million in economic activity, so certainly this industry is an economic boon to our overall provincial economy.

Actually, we're working very hard to keep it robust. Just last week I was with my colleague the member from Erie-Lincoln and announced a \$10-million investment in this industry's comprehensive strategy for the future. It's called Poised for Greatness. That's a partnership with the wine and grape industry, a \$20-million initiative and a strategy that will put them in good stead on the world stage so that the best of our wine and grape industry can be put on the world stage.

**Mr Maves:** That type of investment is definitely appreciated down in the Niagara area of the province, and I'm sure it's appreciated in other areas of the province that produce wine.

What kind of success and what kind of progress can we expect out of the industry now that this strategy is in place?

**Hon Mr Coburn:** Under that partnership with the Ontario Wine Council, the Vintners Quality Alliance Ontario and the Ontario Grape Growers' Marketing Board, that strategy in the industry, they've set some pretty specific and ambitious goals. By the year 2020, the industry will be a \$1.5-billion-a-year business, employing 13,500 people. By the year 2020, of course, Ontario wines, red and white, will account for fully 60% of all premium wine purchased by Ontario consumers. In addition to that, more than 90% of grapes grown in Ontario will be used to make premium Ontario wines deserving of the Vintners Quality Alliance designation.

These are ambitious goals. Our government has every confidence that this industry will achieve those goals.

## ALGOMA STEEL

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the Deputy Premier. Last week I met with steelworkers from Algoma Steel Inc and people from Sault Ste Marie, who were very concerned about the restructuring of Algoma Steel. They desperately want

both senior levels of government to come to the table and to get actively involved in the restructuring of Algoma Steel.

Will you join with me today in asking the Prime Minister and the Premier to go to the table and to show confidence and commitment on the part of both senior levels of government in Algoma Steel so that a successful restructuring can happen?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** As I imagine the member opposite knows, Ontario has been at the table during the course of the discussions relating to Algoma Steel.

Our particular concern, which is quite rightly the concern of the province, relates to the pension liabilities and the ability of Algoma to fully fund the pensions not only of retired persons but of persons about to retire or persons who would retire in the normal course after years of service at Algoma.

The Ministry of Finance—and as minister, I have a direct concern with that issue—has been at the table. As I'm sure the member opposite knows, the matter is before the courts and many discussions have taken place. There has been, as I understand it, some significant progress, but we're not quite there yet in terms of all the necessary parties agreeing to terms that would satisfy everyone.

**Mr Hampton:** The Deputy Premier would know that the pension issue is one issue that is important, but what's important for the community of Sault Ste Marie and for the workers, and I might add for workers in other communities, is a successful restructuring of Algoma Steel. So far, the Liberals in Ottawa have been the invisible man on this project, and I may say that the bondholders and the note holders have not heard either level of government come to the table and say clearly, "Algoma Steel will not be allowed to fail. You, the bondholders and note holders, cannot put the company into bankruptcy and then pick up what is left." That's what is needed.

I'm asking you today to sign a letter with me asking the federal government to come directly to the restructuring table and for a commitment from your government to go directly to the restructuring table as well so that that message of confidence and commitment in Algoma Steel will be received. Will you do that?

1440

**Hon Mr Flaherty:** To be clear to the member opposite, the government of Ontario has been and remains at the table, particularly concerned with the pension issue, as the province should be concerned with the welfare of persons who have earned an entitlement to pensions.

The second part about the federal government and the federal government's involvement: I'm certainly prepared to work with the member opposite to encourage the federal government to be fully engaged in this process. It's very important for the people of Sault Ste Marie.

## PAROLE SYSTEM

**Mr Dave Levac (Brant):** My question is for the Minister of Correctional Services. Minister, as you're aware, and we on this side are very aware, the management of provincial parole and probation in Ontario is your job and your responsibility. Last week, three-time convicted pedophile Peter Whitmore was released from a provincial correctional facility and placed on provincial parole. Why is it, then, that under your ministry and your watch Peter Whitmore managed to set up a temporary home only a few precious metres away from a schoolyard and a daycare centre, a few metres away from children whom he is forbidden to be near? Why did you allow this to happen?

**Hon Rob Sampson (Minister of Correctional Services):** The member opposite should know, and I believe he does know and I'm surprised he's asking the question, that the reason why we have very little control over offenders who are released from institutions in this province is because the federal Liberal legislation prohibits us from having any further control over them.

Many times I have encouraged my colleague across the floor to stand with us in this House, and outside, as we petition the federal Liberal government to change the rules that govern how inmates are treated once they're released from our institutions with their term not fully expired, and he has not been there. I've not heard one word of support from any member of the Ontario Liberal caucus to support this government's stand, to tell the federal Liberal government to get rid of the discount law. If you're prepared to stand in your place in this House right now today and say you're supporting that, please do so.

**Mr Levac:** I find it interesting that the minister does not want to take responsibility for it by saying that he does have an option, and that option would be the entry plan which I asked him to do before he released Whitmore, to announce to the schools, to announce to anybody near that this man is going to be taking up residence, and you didn't know that.

To make things even worse than they are, the Toronto Star today reported that parole officers are having a hard time doing their job. Your failure has resulted in officers having the highest caseloads in our country. Of the 165 new people you promised, only one half of them have been hired. Parole officers are being assaulted and threatened in unworkable conditions in their particular places of work and they're spending more than one-half hour a month on individuals they're supposed to be monitoring while they're in the communities. What's your answer to these problems? Blame the federal government, blame the staff themselves and do everything except take responsibility yourself.

Will you stand up in your place today and say that you do have a problem with the working conditions and the fact that parole officers are overworked and stressed? Will you pledge that you will never again, under your

watch, allow this kind of situation to happen in our province?

**Hon Mr Sampson:** I'll pledge to the people in this House and the people watching here that the Mike Harris government will do everything it possibly can to encourage the federal Liberal government to wake up and smell the coffee and change the laws of this country to allow us to have full control over individuals who are sentenced to institutions in this province so that they serve their full term here, instead of handcuffing us like they currently do with their legislation.

I'll remind the member opposite that he voted against the pedophile legislation that we brought forward in this House. I'll remind that member that he voted against any legislation that would have exposed pedophiles and their existence in this province. He voted against it, and now he has the audacity to stand in this House and say somehow he supports that legislation. You should be ashamed of yourself.

### CONSUMER PROTECTION

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Consumer and Business Services. With the failure of Canada 3000 airlines, there has been a lot of concern about the people who have booked flights and paid for their flights. Some in fact are stranded around the world. Minister, could you tell me what protections are in place for Ontario consumers facing this situation?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** Fortunately, Ontario residents who book their travel through a registered travel agent have great protections when they're travelling abroad. There are three lines that a traveller can look to.

First, he or she should look to their credit card company. Many credit card companies guarantee that a service will be delivered, and therefore there is a real chance of compensation directly from the credit card company for either a trip that has not been taken or a return trip that was not there to be taken.

The second line of defence is a travel agent. The travel agent is responsible compensating the traveller for any losses that they might have incurred as a result of the sale of the ticket to them.

The third is the compensation fund, which presently has \$22 million in it and is a backup to the aforementioned protections.

**Mrs Molinari:** Thank you, Minister, for that very informative response. I know the Travel Industry Council of Ontario is working very hard to make sure every Ontario consumer affected by the bankruptcy of Canada 3000 is taken care of.

Last week I noticed on CBC Radio that there is some confusion surrounding Canada 3000 Holidays and the wholesale vacation package arm of Canada 3000. Could you tell us what is happening with Canada 3000 Holidays?

**Hon Mr Sterling:** This is another arm or another business that was involved with offering holiday packages to many Canadians and many people in Ontario. This was a separate company which only filed for bankruptcy this morning. Fortunately, the travel industry had withheld as much as \$8 million as money in trust for many of the people who had not gone on their vacations, these holiday packages. Therefore, they are in a very good position to compensate people for their losses when they are not going to be able to go on those particular trips.

Our first priority was to get people back who were stranded abroad. Canada-wide, 240,000 of 290,000 people are back home. Now we must work on the other parts of the puzzle. It's a very complicated puzzle, but we're happy in Ontario that we have these great protections for our travellers who book through our travel agents.

### CHILDREN'S AID SOCIETIES

**Mr Michael Gravelle (Thunder Bay-Superior North):** My question is for the Minister of Community and Social Services and it focuses on the growing funding crisis in child welfare. To cite just a few examples, the children's aid society of the district of Sudbury and Manitoulin will end the current year with a deficit of \$1.8 million. The Algoma CAS is projecting a budget deficit of \$1.5 million, and the deficit of the Thunder Bay Children's Aid Society will be in the range of \$400,000. Indeed, 40 of the province's 51 CAS branches are now running deficits, which may reach upwards of \$100 million this year.

This number reflects the fact that many CAS expenditures like group care, legal costs, travel and other related expenses are not adequately reflected in the minister's unworkable funding formula. Indeed, the plight of children's welfare in Ontario in light of today's sad but predictable news of across-the-board budget slashing makes me rather sick.

Minister, will you stand in your place today and assure this House that no children's aid society will be forced into debt this year and that you will cover all the actual costs incurred by children's aid societies, which are committed to protecting our province's most vulnerable children?

1450

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Child welfare and child protection have been a tremendous priority for this government. As my predecessor, Janet Ecker worked tremendously hard on this issue. We've seen funding increase by more than 115%. I am hard-pressed to look anywhere in the public sector, anywhere in Ontario, anywhere in Canada, which has seen a greater budget increase. It's an unprecedented commitment and an unprecedented support.

What the member opposite is asking is that we say to all children's aid societies, "Spend whatever you like and

send us the bill and we'll pay for it," which is something no minister in any province in Canada has ever been able to do on any issue. I can tell the member opposite that earlier this year I sought an in-year budget increase of \$123 million, and the cabinet said yes. We've also committed to spend additional resources in this year's budget after that. Child welfare and child protection will continue to be a priority, and we'll continue to devote the adequate and necessary resources to fulfill these important responsibilities to help children in need.

**Mr Gravelle:** Let me tell you the actual costs, Minister. Three years ago, your government promised a comprehensive review of the funding formula to reflect new standards for front-line workers. This is not being done. This review is vital, and you know it is, as it will reveal that you're not covering the actual costs of care that are mandated by legislation.

In my own riding, the children's aid society has three satellite offices: one in Nipigon, one in Geraldton and one in Marathon. In a district as large as ours, I doubt that even you would argue against the need for these satellite operations. Yet you don't fund their operation, nor the operation of satellite offices across the province.

Minister, will you at least commit today to provide the needed and totally appropriate funds to cover these satellite offices, which are just so vital for our large areas?

**Hon Mr Baird:** We're certainly prepared to look at any issue in terms of improving our child welfare and child protection system. We have made unprecedented funding commitments to ensure that we do more to help young children, whether they're victims of sexual abuse, physical abuse or neglect. We've lowered the bar to give children's aid societies across Ontario more powers and more ability to ensure that they can step in and intervene and help young children in need of protection.

The member opposite has some suggestions. I'd be very happy to look at them and to weigh them in the context of all the other tremendous priorities we have in the children's services sector.

#### PHARMACEUTICAL INDUSTRY

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Energy, Science and Technology. The pharmaceutical industry has played a very important role in research, development and innovation. Research and development products coming from that industry have been saving lives, enhancing our quality of life and extending our life expectancy—for example, the discovery of insulin not far from here; later, the discovery of penicillin and other antibiotics.

These discoveries have also assisted our farmers, improved the liveability of our livestock and increased production. But, Minister, what has their contribution been to the economy of the province of Ontario?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** In the next 10 years there'll be a huge increase in demographics as well as incredible advances in medical research, particularly pharmaceutical research.

Pharmaceutical products are often the most cost-effective and humane ways of treating many illnesses.

Ontario needs to strive to be a global leader in drug discovery and development because this will lead to two important results. One is leading-edge jobs for our people, and two, a healthier economy and healthier people in Ontario.

As part of that commitment, the Ontario government needs to reaffirm its commitment to patent rights in this province. I know that all of the Premiers in Canada are working on a paper toward that. Premier Harris will present that to his colleagues in January. I certainly hope, as the minister responsible for R&D in the pharmaceutical sector, along with my colleague Mr Runciman and others, that Ontario reaffirms its historic position with respect to patent rights, protecting high-quality jobs in this province.

**Mr Galt:** Thank you very much, Minister. There's no question that the pharmaceutical industry plays a very vital role for the people of Ontario and particularly for livestock producers. Minister, it's extremely important that the pharmaceutical industry thrives and prospers in Ontario. As we look to the future, research and development in the area of biotechnology is of the utmost importance.

Minister, how is Ontario ensuring that the pharmaceutical industry will continue to play an important role in health research and development and innovation?

**Hon Mr Wilson:** In the year 2000 alone, the innovative pharmaceutical industry invested some \$396.2 million in research and development in Ontario, employed more than 9,000 people and injected \$1.4 billion into Ontario's economy as a whole.

The Ontario government partners with the pharmaceutical industry in the areas of research and development through our Ontario Research and Development Challenge Fund. We've partnered with universities, hospitals and the pharmaceutical sector in 24 different projects. Also, I recently created the Ontario BioCouncil, which is headed by Mr Joe Rotman. That council will seek further ways to partner with the pharmaceutical industry so we can get our share of the worldwide research and development monies that are available and, second, continue to create a strong economy in Ontario, particularly during this time of recession in the province. The R&D that's injected by the pharmaceutical industry will help recession-proof this economy.

#### LONG-TERM CARE

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the minister responsible for long-term care. This morning, nursing home workers, represented by the Service Employees International Union, came to hold a press conference here to point out the deterioration in long-term care for Ontario's seniors. One of the issues they pointed to was that in 1996 your government abandoned the minimum requirement for two and a quarter hours of nursing care per day for long-term-care patients in nursing homes. As a result of that reduction in nursing

care, frequently our seniors are suffering indignities such as lying for hours in their own urine or excrement and not being able to get the bath they need.

These workers asked a specific question: will you restore an acceptable minimum requirement of nursing care for seniors in nursing homes in Ontario?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Let me say that the commitment of this Mike Harris government to long-term-care facilities and to long-term care is unprecedented. In the last number of years we have strengthened community care access centres by doubling the money that we spend on community care access centres, giving a 72% increase in community funding. For the first time in some 10 or 15 years, this government has made a commitment to long-term-care beds in Ontario, promising that 20,000 beds be ready and available to seniors in this province by 2004; by 2006, another 16,000 beds.

We're doing everything to ensure that our communities have the services they need so that our seniors can get the best possible care, both in their community and in the long-term-care facility that they choose, because those services are important to us, the Mike Harris government.

**Mr Hampton:** Minister, the reality out there is that you are cutting home care, and seniors across Ontario know it. You have announced new long-term-care beds, but seniors aren't seeing them; there have simply been announcements.

But your own government-funded study done by PricewaterhouseCoopers earlier this year told you in no uncertain terms that Ontario is providing fewer hours of nursing care in our nursing homes and homes for the aged than 10 comparable jurisdictions: Saskatchewan, Manitoba, Sweden, Finland, the Netherlands, Michigan, Maine, South Dakota—even Mississippi provides more hours of nursing care per patient than Ontario does. Studies in the United States have recommended as much as four and a half hours of nursing care per patient per day. These workers are asking you merely to restore an acceptable level in Ontario. They suggest three and a half hours a day.

Do you want to be last, Minister, in all of the comparators, or are you prepared to give our seniors the hours of nursing care they need and deserve and that all of the studies indicate they should have?

**Hon Mrs Johns:** I'm almost speechless, I have to tell you. What's happened here is that they had a \$50-billion deficit and they didn't build one new long-term-care bed in Ontario. They froze the per diem rate for community care and it was frozen under the NDP government in 1993. We increased the per diem from \$79 to \$84 in 1996. Where were they?

In 10 years of the Liberal and NDP governments almost 10,000 hospital beds were taken out of this province, and yet there was no increase in services.

Why are you talking about seniors like this? This government has made commitments for 36,000 new beds for the people of the province of Ontario. We've also

made commitments for community services in the province. Let's get a reality check here. He says there are no long-term-care beds built: 2,800 are up and running. I've seen them. If you want to come with me, come and see them: 6,000 by the spring; 20,000 by 2004; 36,000 by 2006. Mr Speaker, have him come with me, please.

1500

## OAK RIDGES MORaine

**Mr Mike Colle (Eglinton-Lawrence):** I have a question for the Acting Premier, the Minister of Finance. Your government has given assurances to various developers who own lands on the Oak Ridges moraine that they will be compensated with lands that are part of your provincially held Seaton lands, the north Pickering lands. This land swap that you've committed to as a government is worth hundreds of millions of dollars in public land.

The question I have for you on behalf of the people of Ontario is, what are the criteria that you're using to swap this land, what are the principles, what assurances do we have that the taxpayers will get value for money, and will you agree to having full public disclosure of all the terms and details of the most massive land swap in Ontario history? Will you agree to the public disclosure of the land swap terms, details and criteria?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Municipalities, in making decisions on applications outside the moraine, are required to conform with the provincial policy statement. The provincial policy statement directs development to existing settlement areas while protecting rural areas for uses such as agriculture.

The PPS is currently being reviewed as part of this government's Smart Growth initiative. This government's Smart Growth initiative, as you know, emphasizes infilling, intensification and brownfield redevelopment—in our view, the best strategy for encouraging and managing growth in the GTA and elsewhere in Ontario.

There were substantial discussions, as I'm sure the member opposite knows, between people involved in the development industry and the minister responsible relating to the lands in the moraine that were potentially developable, and the lands in particular in the Seaton area around what may well be a future airport site. As a result of those negotiations, an accord was reached, which is tremendous progress showing the willingness, I would think, on the part of all parties to work together toward a resolution of the issue in the best interests of the environment.

## PETITIONS

### MUNICIPAL RESTRUCTURING

**Mr James J. Bradley (St Catharines):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local citizens."

I affix my signature. I'm in complete agreement.

#### LONG-TERM CARE

**Mr Howard Hampton (Kenora-Rainy River):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government abandoned the minimum requirement for 2.25 hours per day of nursing care for seniors in nursing homes; and

"Whereas the Ontario government's own study in January 2001 showed Ontario's long-term-care residents receive less nursing, bathing and general care than elderly people in comparable jurisdictions in Canada, the United States and Europe; and

"Whereas poor management of residents leads to excessive acute care hospital stays and added strain on staffing levels in long-term-care facilities; and

"Whereas Ontario long-term-care residents now receive an average of only 2.04 hours of care per day, well below the level of care of 4.2 hours even the state of Mississippi provides; and

"Whereas US studies have indicated that total nursing care hours for long-term-care residents should be in the range of 4.55 total hours of care per resident per day;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to regulate a minimum requirement of at least 3.5 hours of nursing care per resident per day."

I have affixed my signature to this petition as well.

#### CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I'm pleased to affix my signature to this petition.

#### EDUCATION

**Mr Tony Ruprecht (Davenport):** I have a petition addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the Ontario government wants to take an additional billion dollars out of the education system this year and every year; and

"Whereas the Ontario government has decided to hire uncertified teachers in kindergartens, libraries, for guidance, physical education, the arts, and technology; and

"Whereas the Ontario government wishes to remove the right to negotiate working conditions; and

"Whereas the Ontario government will remove at least 10,000 teachers from classrooms across the province; and

"Whereas the Ontario government has become the sole decision-maker on class size, preparation time and the length of the school day; and

"Whereas the Ontario government proposes to take decision-making powers out of the hands of locally-elected community-minded trustees;

"We, the undersigned Ontario residents, strongly urge the government to repeal Bill 160 and create an accessible public consultative process for students, parents, teachers and school board administrators to study alternate solutions that have universal appeal and will lead to an improved educational system."

Since I agree, I'm delighted to affix my signature to this petition.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have more petitions supporting adoption disclosure reform in Ontario. This reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the

UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; and replace mandatory reunion counselling with optional counselling."

1510

#### TENANT PROTECTION

**Mr John O'Toole (Durham):** I was very privileged last week to have the Honourable Cam Jackson, minister responsible for seniors, in my riding. This petition was presented to me while he was there.

"To the Legislative Assembly of Ontario:

"Whereas we the residents of 145 Liberty Street South in Bowmanville wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville have invested considerable amounts of money in decorating, upgrading their apartments; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville were of the understanding that this was a rental property, not a condominium;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or any other relevant ministry investigate these concerns to ensure that the residents of 145 Liberty Street South can continue to rent their apartments."

I'm pleased to sign this on behalf of the residents as well as Wilma Paul, who presented the petition that day in Bowmanville.

#### NURSES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** To the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe con-

ditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario;

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high-quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

This petition contains an additional 334 signatures of concerned individuals. That brings the total number of signatures on this particular petition to 14,174. In full agreement with their concerns, I again affix my signature to the petition.

#### BRAIN TUMOURS

**Mr Bob Wood (London West):** I have a petition signed by 685 people.

"Whereas early detection and treatment of brain tumours are vital to survive from this devastating disease;

"Whereas brain tumours strike people of all ages, from newborns to seniors, crossing all economic, social and ethnic boundaries and all walks of life;

"Whereas brain tumours are the most common cause of solid cancer in children; and

"Whereas brain tumour research, patient and family support services and awareness among the general public are essential to promote early detection and treatment of brain tumours;

"We, the undersigned, therefore respectfully petition the Parliament of Ontario to pass a law proclaiming the month of October in each year as Brain Tumour Awareness Month."

I will inform the petitioners that this petition has been granted by the Legislature.

#### CHILDREN'S MEDICAL SERVICES

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the recent events at the London Health Sciences Centre, where 18 programs have been lost due to funding shortages, and in particular, the Children's Hospital of Western Ontario, cause us to be concerned that we may lose medical and surgical subspecialty pediatric services for ourselves and our children;

"Whereas southwestern Ontario is a vital region of the province of Ontario that requires urgent access to pediatric subspecialty services and to travel to other children's health facilities in Ontario would result in serious personal hardship and risk to our children; further, that families would not be eligible for travel grants similar to those provided in northern communities;

"Whereas we have greatly benefited from the expertise in pediatric care provided by Children's Hospital of Western Ontario over the years and we appreciate that we may not be apprised of all the reasons for these physician losses; however, our children deserve to continue to receive the pediatric subspecialty care from the London Health Sciences Centre and Children's Hospital of Western Ontario that our region has depended on for decades;

"Whereas the loss of these services will result in great hardship to the families and seriously endanger the health of our children, we look to you as leaders to address this issue immediately and thoroughly. These times of great uncertainty about children's access to health care is a significant stress to ourselves and our families;

"Therefore, we the undersigned petition the Legislature of Ontario to demand that our government respond immediately to restore these critical services to the citizens of southwestern Ontario."

This petition is signed by persons from Ridgetown, Merlin, Chatham, Tilbury and Thamesville, and I affix my name to it.

#### TENANT PROTECTION

**Mr John O'Toole (Durham):** To put on the record again the petition from the residents of 145 Liberty Street:

"To the Legislative Assembly of Ontario:

"Whereas we the residents of 145 Liberty Street South in Bowmanville wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville have invested considerable amounts of money in decorating, upgrading their apartments; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville were of the understanding that this was a rental property, not a condominium;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or any other relevant ministry investigate these concerns to ensure that the residents of 145 Liberty Street South can continue to rent their apartments."

I'm pleased to sign this and support my constituents. By the way, these are all apartment tenants here, Wilma Paul and a number of others. I'm pleased to sign on their behalf.

#### KIDNEY DISEASE

**Mr John Gerretsen (Kingston and the Islands):** I have a petition here which is addressed to the Legislative Assembly of Ontario.

"Whereas we the undersigned residents of Ontario draw the attention of the Legislature to the following:

"Whereas kidney disease is a huge and growing problem in Canada; and

"Whereas real progress is being made in various ways of preventing and coping with kidney disease;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage the Canadian Institutes of Health Research to explicitly include kidney research as one of the institutes in its system, to be named the Institute of Kidney and Urinary Tract Diseases."

I agree with the petition and have signed it accordingly.

#### MEDICAL SCHOOL TUITION

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas medical school tuition was deregulated by the Ontario government in 1998; and medical school tuition has and continues to increase in excess of 300% such that at some universities tuition is now \$14,000;

"Whereas the combination of excessive tuition and frozen student assistance have impaired students' accessibility to a medical education;

"Whereas the physicians most likely to practise in a rural area are originally from rural areas themselves; and

"Whereas unaffordable tuition disproportionately excludes medical students from rural communities;

"Be it resolved that Thunder Bay calls upon the Ontario government and the universities of Ontario to ensure that medical education be made financially accessible to all qualified students; and

"Be it further resolved that Thunder Bay requests that medical tuition be capped and re-regulated at a level accessible to all Ontarians and that the Ontario student assistance plan/Canada student loan program be adjusted in order to ensure that Ontarians from all communities are able to afford a medical school education."

This petition is signed by a number of residents from Leamington, and I, too, sign this petition.

#### HOMELESSNESS

**Mr John Gerretsen (Kingston and the Islands):** Here is a petition to end homelessness in Ontario.

"To the Legislature of Ontario:

"Whereas the Ontario provincial government has totally withdrawn itself from building new social housing projects in this province, therefore endangering the lives of the less fortunate and residents who can't afford paying the high-cost rent;

"Whereas the Ontario government should recognize that there is a serious shortage of affordable housing in this province;

"Whereas the Ontario government should recognize that the homeless situation in this province has reached a crisis proportion and that some measures have to be taken to remedy the situation;

"Whereas the Ontario government should recognize that the hostel system wasn't meant to be for permanent housing but is for temporary shelters;

"Whereas the Ontario government should implement the 1% solution promoted by the Toronto disaster relief committee and restore the Rent Control Act which was taken away by the current government;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We are asking that the Legislature see that the government take actions to end the homeless situation in Ontario with any means that are at its disposition."

I agree with it and have signed it accordingly.

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## ORDERS OF THE DAY

### TIME ALLOCATION

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 110, An Act to promote quality in the classroom, when Bill 110 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on general government; and

That, notwithstanding standing order 28(h), no deferral of the second reading vote may be permitted; and

That the standing committee on general government shall be authorized to meet during its regularly scheduled meeting time, for one day in Toronto for public hearings and for one day in Toronto for clause-by-clause consideration of the bill; and

That, at 4:30 pm on the day the committee is scheduled for clause-by-clause consideration, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond its normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession, with one 20-minute waiting period allowed, pursuant to standing order 127(a); and

That the committee shall report the bill to the House on the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration and not later than December 6, 2001. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

That, when the order for third reading is called, 90 minutes shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "deferred votes"; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Speaker (Hon Gary Carr):** Mrs Ecker has moved government motion 77.

**Mr Frank Mazzilli (London-Fanshawe):** I will be sharing my time with the member from Simcoe and the member for Oak Ridges.

It's a pleasure to speak on the motion for Bill 110, the Quality in the Classroom Act, 2001. The purpose of our education reform is obviously to set higher standards for achievement in Ontario and to provide the tools and resources for student success.

Excellence in education starts in the classroom, with the best possible teachers. It's essential that they instill a love for lifelong learning in our students as well as providing them with the tools to meet the challenges of changing jobs and new careers.

Ontario has many excellent teachers, and many of them recognize the need to keep their knowledge and skills current. They are actively involved in professional development activities to build their qualifications and to develop new knowledge and skills. That is why our government has introduced a comprehensive teacher testing program to ensure that all teachers, both new and experienced, have the capabilities to help our students succeed and achieve higher standards.

We continue to build on that commitment with Bill 110. It has two purposes. The first is, subject to the approval of Bill 110, that all new graduates of an Ontario faculty of education and all teachers new to Ontario would be required to take the Ontario teacher qualifying test. Passing the test would be a requirement for becoming a member of the Ontario College of Teachers and receiving a certificate of qualification from the college. The qualifying test would assess the readiness of teachers to start their professional lives and to ensure that

they have a minimum level of knowledge and skills to begin teaching in our schools. Its purpose and form would be similar to exams administered by other professional regulatory bodies, such as the National Dental Hygiene Certification Board, and for other groups such as nurses and occupational therapists.

The ministry is taking a number of steps to ensure that the Ontario teacher qualifying test will be unique to Ontario as well as being fair, valid and reliable. The development of the test is being supported by consultations with a broad range of educational stakeholders. We consulted with parents, students, principals, vice-principals, teachers, trustees, deans of faculties of education and the Ontario College of Teachers. The ministry has established the Ontario Teacher Qualifying Test Advisory Committee to advise on test program issues. It will provide the ministry with advice on test development and validation as well as the written materials to assist those teachers taking the tests. For example, there would be a brochure describing the test program that would also include an application package with registration information, sample test questions and preparation test items.

It is important to note that Ontario is not the only jurisdiction to be moving in the direction of spelling out entrance-to-the-profession tests. In fact, the ministry is drawing from the best experience of what other professions and jurisdictions are doing in this area. For example, the United Kingdom recently introduced a test for new applicants to the teaching profession. In addition, France, Belgium and Switzerland use civil service exams to evaluate those who wish to teach. Most American states require their teacher candidates to pass one or more certification exams before they become licensed to teach.

The proposed qualifying test in Bill 110 would have questions based on areas of knowledge and skills derived from the standards of practice from the teaching profession established by the Ontario College of Teachers. The college is mandated by statute to establish standards of practice for all teachers in Ontario.

Once aspiring teachers have completed the qualifying test, the results would be available in four to six weeks. All test takers would be advised of their personal score. The test provider would also advise the Ontario College of Teachers of a pass or fail result of each participant. Candidate teachers who meet all the requirements for certification, including passing the qualifying test, would be placed on the college's register, which lists its members, their qualification and their status in the college. Finally, for 2002 and 2003 the ministry will cover all costs associated with these tests.

In addition, Bill 110 provides for an appeal process to be available to all teachers who take the qualifying test. All appeals on test scores would be reviewed individually on a case-by-case basis.

The qualifying test proposed by Bill 110 is an additional step being taken by this government to improve the quality of education in Ontario. In a rapidly changing and increasingly competitive world, the need for quality assurance among all professionals, especially teachers, is imperative.

The second purpose of Bill 110 is to create a comprehensive personal appraisal system to evaluate teachers on their performance in the classroom. The new provincial standards outlined in the legislation would ensure that principals and school boards regularly and consistently evaluate teachers' knowledge and skills.

Bill 80, which was passed in this Legislature last June, established a comprehensive framework for professional learning by Ontario teachers. Bill 80 requires all teachers to participate in a series of professional development activities and courses in five-year cycles throughout their careers. Bill 110 would now establish the regulatory authority necessary for the establishment of teachers' learning plans. These plans would be developed by teachers in consultation with their principals and would map out an action plan for professional growth. Mandatory professional learning ensures that teachers' knowledge and skills are up to date.

Performance appraisals provide the necessary quality assurance that professionals' learning has become effective and that teachers in our classrooms are the best that they can be. Equally important is the way Bill 110 would bring consistency to our teacher appraisals in reference to their frequency, timing, standards and methods. While many boards have been developing excellent performance review practices, few school boards have policies and programs in place to help weak teachers meet the standards they need to achieve.

In addition, few boards currently have evaluation policies that recognize teacher excellence and identify possible mentors or exemplary teachers. These findings reconfirm the value of Bill 110 and the need to provide consistent province-wide standards for teacher evaluation. The creation of such standards would clearly be a major factor in ensuring that our teacher appraisal system is fair to all members of the profession no matter where they teach in Ontario.

#### 1530

These are the reasons that the bill would provide for every experienced teacher to have an evaluation year every three years, with at least two evaluations of their classroom performance during that year.

Our government strongly believes in the involvement of parents in our children's education. Another important milestone in Bill 110 is that parents and students will have input and be an integral part of a teacher's performance appraisal. Bill 110 would also provide regulatory authority for parent and pupil input; however, parental and pupil comment would not be the sole factor in an unsatisfactory rating of a teacher.

The important aspect of a teacher appraisal system is to provide support and facilitate teacher improvement. The point of Bill 110 is not to dismiss teachers but to ensure their teaching excellence. Bill 110 provides a very detailed and fair approach to teachers receiving a less than satisfactory rating, with a real emphasis on opportunities to help strengthen a teacher's classroom skills. I believe that performance appraisal in Bill 110 is consistent and fair to teachers.

In closing my remarks, I would like to summarize the key features of the performance appraisal system that would be established by this legislation: regular evaluation for all teachers; consistent standards for teachers' appraisals, including an objective rating system that will be used throughout the province; parental and student input into the appraisal process; support for teachers who need to improve their performance; and the removal of low-performance teachers from the classroom.

Bill 110 is win-win legislation. With the passage of the Quality in the Classroom Act, 2001, parents will know that their children are being taught by teachers who can be called upon to be the best they can be in the classroom. Taxpayers will know that they are achieving value for their education dollars, and all Ontarians will know that we are moving closer to an education system that is firmly focused on quality, accountability and improved student achievement.

I just want to say that I have met in my constituency with members representing teachers and their unions and have listened to their concerns. I will say, as you've heard through the speech, that there are many other professions that write exams of some sort. I can tell you that during my time as a police officer, on what is known as the breathalyzer testing program in Ontario, I had to write a yearly exam to requalify year after year. That test was administered by the Centre of Forensic Sciences attached to the Solicitor General's ministry. Every year people came down from that ministry to ensure that your credentials were kept up for the purpose of providing breath samples.

I will tell you that I would have been the first one to say, "I don't want to do this." The reason is that every year it made you take out your notes and go over some of the basic theories that you once learned. In summary, you never had difficulty with the exam, but it did make you go over some of the theories that you were once taught, to the benefit of the end user, the people you are trying to help. I think we all need to keep on top of our skills in today's environment, and I think the teacher testing program is not much different.

I do share the belief, as some of the representatives from the union pointed out, that there are individuals who will be made to do things that are mundane. For example, if you are trying to teach someone high skills with computers and so on, there will be a few people way beyond whatever testing abilities anyone might be trying to achieve. But certainly I think if you are going to err in making someone do something they know they can do, perhaps if it can be avoided, it would be best to do that. If it can't be done, I think that if 99% of people taking that test benefit, that's a positive step also.

With that, I'll pass it on to the member for Oak Ridges.

**The Speaker:** It actually goes in rotation. The member for Hamilton East.

**Mr Dominic Agostino (Hamilton East):** Although Oak Ridges is a great riding, I'm certainly not the member for that riding.

Mr Speaker, thank you for the opportunity. You'll have to pardon my voice. It's probably a pleasure to most members on the opposite side of the House that I'm not really able to speak very loudly, as a result, I think, of a little bit too much yelling at the Tiger-Cats game in Winnipeg yesterday that unfortunately didn't go quite as well as I would have liked it to go. But certainly it was an interesting experience spending an afternoon in Winnipeg Stadium with about 10 of us cheering for one team and about 29,500 cheering for the other. But I want to congratulate the Tiger-Cats on a great season. They made us all proud in the city of Hamilton. I have no regret about losing my voice by cheering too loudly for the Cats yesterday.

Just a few minutes on what is in front of us today. What is in front of us, first of all—let's understand so that the public knows—is a time allocation motion. What this means is that once again this government has decided they're going to cut off debate on a particular bill. This is Bill 110, the teacher testing bill. It has become unfortunately much too common in this Legislature, on almost every bill, for this government to decide that after a few hours we've had enough debate and it's time to cut off debate and bring in something called closure.

Just to understand that it is not the normal procedure in Legislatures across this country, I want to compare it, as an example, to the federal House, where closure is hardly ever invoked. I met with the federal whip a couple of weeks ago and she mentioned to me that generally they come to an understanding. There's a sense of co-operation on bills and the government does give the opposition plenty of opportunity for debate, and therefore the opposition uses that time and the government does not bring in closure.

That is not the case here. I think it is an affront to democracy when we continue to have bills in front of us that this government rams through with what we call closure motions, which means essentially, "We've had a few hours. We don't really care what you have to say any more." We hardly bring the bills to committee. We just ram them through because, "We have a majority government and we can do what we want." I think that is the arrogance of governing, the arrogance of a government that after six years in power believes they can do what they want whenever they want and to heck with the public, to heck with the opposition. So certainly we will oppose this motion here today.

This bill itself, as we have mentioned, is a flawed piece of legislation to some degree. Much of what is in the bill has already been done.

What is interesting is that it excludes teachers in the private school system. Again, we understand that this government has decided they're going to give funding to private schools in the province of Ontario, that they're going to extend at least \$300 million a year that will come out of the public school system to private schools. But they have not determined that they are going to apply the same standards to those teachers in those school systems. We think that is inappropriate, that is wrong,

and again the double standard here is astonishing in what this government has said.

When you look generally at education, they're putting a great deal of effort into this bill. I wish they would put as much effort into ensuring there is adequate funding for our classrooms and for our kids.

I know in my own community, schools are being closed everywhere across the city of Hamilton. The Catholic board is now going through the process. The public board recently closed Scott Park high school in my riding, again as a result of this flawed funding formula that you've implemented to force boards to close particularly schools in the inner city: bigger, older schools. Because of the nature of those neighbourhoods, they're now no longer at 70% or 80% capacity; they may be at 50% capacity. Because of your funding formula, these schools are being forced to be closed by the school boards. You are ripping the heart out of those communities by closing these schools, by forcing the boards to close these schools because of your flawed funding formula, a formula that for the city of Hamilton now gives \$1,100 less per student than when this government came to office in 1995.

I have schools in my riding where on days like today, where it's raining outside, it rains into the classroom because the roofs are so bad. The teachers have to move the kids' desks so the kids don't get wet while they are sitting there in the classroom because of the fact that the roofs are leaking. That is the reality today of schools in my riding in the city of Hamilton as a result of the neglect of this government.

I wish they would put more effort into those types of deals. I wish they would put more money as is necessary into infrastructure, to make sure that at least we can fix roofs in schools, that at least it doesn't rain in the classroom when the kids are sitting there on a day like today.

1540

As shocking as that is, that is the reality of what's happening. We have kids in basements of schools in some conditions that you wouldn't dare walk around in; those kids are there because of the condition of those schools. That is the reality of what we see in Ontario today as a result of what this government has done to public education, and now they're going to fund \$300 million more toward private schools. I would suggest to the government that instead of wasting all your efforts on trying to fund private schools in Ontario, you put that \$300 million toward public education in this province and put more emphasis on more textbooks, more computers, more teachers, small classrooms, more resources where it really helps the kids.

This bill in front of us feels good and sounds good in what this government is trying to do. It has loopholes; it has weaknesses in it. Frankly, it's already been done to a great degree. Entry level testing we've proposed and we've supported and that is not something we have a problem with, but the rest of the bill to a great degree is flawed. We will simply oppose this motion here today

again, because this government is once again trying to ram legislation down the throats of Ontarians and the opposition here in the Legislature.

**The Deputy Speaker (Mr David Christopherson):** Further debate?

**Mr Michael Prue (Beaches-East York):** This is a closure motion as the previous speaker talked about. It's an effort to stop the debate. I guess the government doesn't want to hear a lot of debate about teacher testing. That may be in part because people on this side won't be talking so much about teacher testing but more about the abysmal state of education in Ontario. Maybe we'll be talking about what this bill includes and what it doesn't include. What it doesn't include is private school teachers. It only includes public school teachers. This government will be spending \$300 million a year giving money to people who choose to send their children to private schools. Those teachers will not be subject to this bill. They can have any qualifications or no qualifications at all. They will not be subject to the bill, and they will not be tested.

They're doing it at the same time that the Minister of Education is spending about \$700,000—at least that's the figure I remember—on a survey to send to all of the people in Ontario, asking them about schools, asking them all kinds of questions, but never coming right down to the nub of the questions: are the schools being adequately run, are there sufficient textbooks, is there enough money in the system and are the schools open in the evening for people to make use of them? The questions that are really important to the community will not be on that survey.

Instead, we are spending some time here debating whether or not teachers should be tested. One of the previous speakers said that as a policeman he was tested once a year. I'm sure there are professions that do a little bit of testing from time to time: in his case, the Breathalyzer law or whether you knew the newest court precedents or the newest chemicals that were added to the Breathalyzer to make sure it worked and whether you remembered it or didn't remember it. But I will tell you that education and teachers have a far greater range in scope than a Breathalyzer test. They should be equated with the equivalent of lawyers. They should be equivalent to other professions where, once you've passed the examination and once you're there and once you've proved you are competent to do the job, you are left to your own devices to do it. They should not be subject to testing, unless other professions are, and I include all of those professions. If the government is very serious about testing teachers, they should also be serious about testing police officers, firefighters, politicians, plumbers and every other person you are not passing bills to test.

One of the previous speakers started off his statement, "Education starts in the classroom with excellent teachers," and that's absolutely true. How do we get excellent teachers? Do we get them by testing them? I think not. A good teacher is born to the profession, is trained into the profession. A good teacher is not someone who suddenly

becomes good because he or she must study every year or every three years to be teacher tested.

The problem with the education system in Ontario is that it has gone through tumultuous, traumatic times. It has gone through times that have made it difficult, if not impossible, for teachers to do the kind of work they once did. You know, there was a time in this province—I'll go back to the time of a good Conservative government; back to the time, I guess, of Bill Davis—when education was of paramount importance, was absolutely essential to the province of Ontario.

**Mr Rosario Marchese (Trinity-Spadina):** Better.

**Mr Prue:** Better, OK. It was a time when money was spent on education, when universities were built; it was a time when teachers had respect in the community; it was a time when there were adequate funds for libraries. It was a time when all of those things happened. I don't know what has happened with this government and that goal that we had as a society to make sure that every child received the maximum benefit of an education; whatever he or she was best capable of doing, the educational programs were there for them. They were there if you needed special education, they were there if you needed English as a second language, they were there if you had the capability of going to university, and they were there with the building of the community colleges to make sure that every child had that opportunity. In all of that were teachers who cared, in all of that.

Suddenly, miraculously and unfortunately, in just the space of a generation, all that seems to have been eclipsed in some fervour of trying to save money and trying to streamline and trying to do, I guess, the same with less money. Quite frankly, I don't believe it can be done. What we need instead of teacher testing—instead of this program that will do very little or nothing to help students in the classroom—is smaller classes. We need classes where the teacher can have a better ratio between the teacher in the classroom and the number of students they're supposed to teach. In kindergarten, grade 1, in early school, that should be no more than 15. Later on, it may be as high as 20. Right now, we have 24, 25 or 26 children per classroom. It is simply too large to be effectively managed. That is the problem, not testing the teachers, but the fact that there are too many children in the classroom for them to give the kind of individual attention that they need to give.

We have the whole problem of the school environments: you have a school environment which is not a happy place. I would not put all the blame on anyone, but I went to a school commencement in East York last week and the valedictorian gave a very good speech. She was absolutely quite brilliant for an 18-year-old young woman. She talked about her school environment and the environment she had for the five years of her going to high school. She talked about having lived through two strikes. She talked about work slowdowns. She talked about, in the last year of her schooling, having no after-school activities. She talked about all the difficulties that she and her fellow students had in being able to get the

kind of education that the children only three, four or five years before had simply taken for granted. The school environment is poisoned, and it is not going to be helped by teacher testing.

You have the problem of the teachers and you want them to be tested. Well, 85% of all teachers that we're aware of take the courses now, the mandatory courses that you're going to talk about. They take them now. For the 15% who don't take them, perhaps you have a small case, but I would suggest that 85% of them are already complying with what you are trying to do by this legislation. What is more important to me is the commitment that teachers have to the students already, the students whom they teach. Seeing the cutbacks, seeing the lack of supplies, seeing that there is no longer money for field trips and everything else, the average teacher in Ontario today from their own pocket spends \$545 to make sure that the children in his or her care are able to do things that they would want them to do were it not for the cutbacks. That's what the teachers are committed to, and at the same time, we are going to tell them, "You need to be tested. You have to be tested because we want to say that you are a special group in that we won't do this to doctors or lawyers or nurses or plumbers or electricians."

This legislation proposes that they take courses, and the courses are quite limited, actually. They're five hours each, and seven of them are mandatory and seven of them are elective. Almost 85% of the teachers are already taking them anyway, and I'm sure that they're going to do these. But what's really important in this argument is that this same government has taken away the nine PA days that teachers used to have, the nine PA days which would easily accommodate all of these courses; they have taken them away, making it much more difficult for the elective and the obligatory courses to be taken.

**1550**

What is better? I'm going to suggest something that is far better than this bill. What is better is for the government to make a commitment to restore the nine PA days. It would be better for the government to take the 200 minutes per week that teachers used to get for preparation time and give it back to them, paid time to do the preparation so that when they stand up and try to teach the children, they can be sure that what they're teaching is absolutely factually correct, but more importantly, that it can be done in such a way to stimulate the interest of young children.

The government needs to get back to the funding of specialists. There aren't enough people who specialize in courses in our schools any more. This runs the whole range from people who do phys ed to pathologists, psychologists, speech therapists, librarians, all of those people who used to be in schools in the time of Bill Davis, in the time of an earlier, more enlightened Conservative government, all of those people who were considered absolutely essential to the young people and to the hope that Ontario once had. They're not there any more and it's time to look at re-funding them.

This government needs to look back at the authority for local initiatives. That is, at one time there were local

school boards across this province that used to raise taxes to look after their local schools. I'm not suggesting we go back to that, but what I am suggesting is that those local school boards be given some kind of authority and some kind of instrument to raise some form of taxes in those schools and in those jurisdictions where they are needed.

I will tell you, in some places they don't do everything by a formula and they never have. In the city of Toronto, the schools used to have swimming pools in them. They're not going to have swimming pools in them much longer because the 81 pools are all going to be shut down. They're going to be filled in with sand. As one person told me the other day, they were wondering what to call these new sandboxes and they thought they might call them the Ecker sandboxes, because that's where the kids are going to be playing. They're not going to be learning how to swim. They're going to be stuck in the sand, because you cannot leave the pools empty.

Then you've got other things. You need to go back to the local initiatives. If you're in northern Ontario, you may have to look at special programs and more monies to help our native peoples. If anyone has not benefited by the school system of this province or of Canada, it must surely be them. If it's Toronto, you may have to go back to programs—and we do need some more money for English as a second language. Those programs have suffered enormously. If you are in other parts of Ontario, I'm sure that the school boards there know their circumstances far better. They need to have the authority to make local initiatives that the people in those municipalities agree with and politicians and school board people who are willing to fight for them and to raise the funds for them. If we are going to have a base formula, there are places where more monies are needed and better opportunities are needed.

We need to go back to a time when the schools were safe. I want to tell you, all of the legislation in the world will not make the schools as safe as they once were. There was a stabbing in East York about 10 days ago and it was very sad to see. It was in one of the local schools in my riding, where children, because of circumstances I'm sure well beyond their control—family circumstances, school circumstances, the whole problem of growing up. One young fellow did some real damage. We need to get back to safer schools and we need some funds to do that.

In those schools not only is it the children who may be unsafe, but the schools themselves are getting very old. They are getting in quite decrepit condition and they need to be fixed up. They need janitors, they need caretakers, and there's nothing in this legislation that's providing that.

We need to go back to a school that actually has a library. I hope some of the members opposite remember those libraries. All schools used to have a library and a librarian. It didn't matter where you were from and it didn't matter how small the school was, it was considered a priority that the children would go in there and learn how to read, it was considered a priority that the

librarian would teach them about books and that they would have a fascination with learning that would last their whole lives. Unfortunately, the libraries in many schools are only open part-time now or not at all. We need to go back to that time. This legislation will not do anything to help us with libraries.

We need to go back to a time when schools remained open and were a focal part of the community. I have to tell you that there have been 138 school closures in the province of Ontario in this session of government—138 schools shut down. Just two weeks ago, I went to a very heated discussion from people in what was district 6 and 7 of the city of Toronto, which includes the greater part of Beaches-East York. I went there and there were at least 200 very angry parents in the audience. Seven Catholic schools that are located in district 6 and 7 are on the chopping block. They are about to be closed. We don't know which of the seven, because the discussion was that we have to close two and possibly three of these seven schools and which one should it be. Of course, everybody stood up and said, "Don't close the school in my neighbourhood."

Why should those schools be closed? Not one of them fails on safety standards. Not one of them does not have children. Surely, there has to be an alternative to what has been proposed. Even if the government were to allow them to sell the schools and put the money back into the other ones, that would be a better compromise than simply not being able to do anything with them at all.

I will tell you that the communities are extremely upset at what is happening with the school closings. You can add at least two schools to those 138, both of which will be in my riding and both of which have made an awful lot of people very angry with what is happening in their schools and to their children, and with the mandatory bussing that's going to ensue of a great many children.

We have the whole problem of schools being used after hours. There used to be a time when the school was the community focal point, where people came together for everything from ratepayers' meetings to Boy Scouts to Girl Guides, where people went after school for special courses or played in the gym. Those days are over. Children, adults and parents no longer make use of a community facility. They've been priced out of the market because the formula will not allow the caretakers to be there in the evening and will not allow cleanups of the schools.

There is nothing in this legislation that says a word about it. All it says is, "Test the teachers." How is that going to solve those problems? You have the whole problem of special education. There are 37,000 children on the special education waiting list, 37,000 who require something, from help with learning disabilities to psychologists to speech therapists and speech pathologists. They are there, 14,000 of them alone waiting just to be tested, and if parents cannot wait or if they have sufficient money, they are paying up to \$1,500 just to have them tested, just to find out that there's no money in the system to look after those children.

I will tell you that even when this is found out, the only alternative is, quite frankly, to get the speech pathologist, the psychologist, the special trainers and smaller class sizes. Testing the teachers isn't going to do any of this. Testing them isn't going to do a darned thing. Whatever money is spent on testing the teachers would be better spent on any of the other programs.

If the government was serious about looking after the small percentage of teachers who may not be up to snuff, it would be far better for the teachers to recognize them themselves. It would be far better for the principals in the local schools to be able to make that assessment and recommendation. It would be far better for the school boards, school trustees and superintendents of schools to make those assessments and to go in and look. That's the way it was always done and the way it always worked. It did not need the heavy hand of the province to come crashing down on the teachers. It did not need anything of the sort.

Quite frankly, that's where it can be done; and it can be done for a fraction of the cost, if any cost at all. It should be in the job mandate of the teachers, the principals and even the parents and the parent councils. It should be there for them to do it, not the heavy hand of government and not the testing that is being proposed.

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We need to have the schools profiled as well. We need the schools to show what they have, to continue to outline what programs they have and the success they have in teaching children. They need to have the community access that is so important, of parents coming in to see teachers, of parents coming in for after-school programs, of being able to document what they're doing. None of that is in this bill.

Last but not least, we need a full review of the funding formula, because if there is a culprit in all of the mess that's found in the schools in this province, it is the funding formula. It is a formula that simply does not work. It is a formula that does not take into account the children, the teachers or the aging infrastructure of our schools. It does not take into account anything except a square-foot basis at \$5.20, which quite frankly does not make any sense whatsoever. The local communities are all very different, the costs of the buildings are all very different, the costs of doing education are all very different and the children they serve are all very different. We have to get away from a funding formula that treats everybody the same. One size simply does not fit all.

This bill literally does nothing. It will test teachers, it will have a unified teacher plan, but in the end it will not produce one better teacher, it will not make one student better able to learn. It will create another government bureaucracy and, in the end, our school system will suffer and our children will suffer and the teachers who try very hard to deliver the program will become even more embittered than they already are. That's the sad reality of trying to push through this kind of legislation. It is far better, I would submit, to work with the teachers, their unions and the parents to come up with a formula that

will make sure that every teacher is the best he or she can possibly be.

I believe that the overwhelming majority—maybe 99%—are already that way. I remember teachers from my own day—and I'm sure that all of you who are parents and have kids in schools right now will say that the teachers are doing a phenomenal job. They deserve to be lauded for the work they do, not tested—and not tested in a way that is unfair and unlike every other group in our society. The government should not be ramming this through. We should take a lot of time, and perhaps the government should consider some better ways to spend the money than to force teacher testing.

**Mr Frank Klees (Oak Ridges):** I'm pleased to enter this debate on Bill 110, the Quality in the Classroom Act, 2001. I'm always happy to listen to members opposite on this subject particularly. I was interested, and I must say right off from the get-go here that while I agree with many things that the member for Beaches-East York had to say about the importance of teachers and their role in helping to train, educate and develop, not only in knowledge but certainly in character as well, the young people in our province, I must say I disagree with him on one point he made, and that is the suggestion that teachers are born. I'm sure that he misspoke on that; he surely didn't mean that. I agree that teaching is very much a special calling, because not everyone can do this job, not everyone can dedicate their lives to this important profession, not everyone has what it takes to be a teacher. But certainly teachers are not born. I believe that they are trained, they are taught and they dedicate themselves to many years of learning.

So Bill 110, the Quality in the Classroom Act, speaks precisely to that. The intention is that we come alongside teachers and we help them to be the best they can possibly be.

Since 1995, our goal has remained constant: to ensure student success and build an education system that supports achievement and excellence through high standards and accountability. We've already implemented a whole series of measures: a more rigorous curriculum for students from kindergarten through to the end of our new high school program; a new province-wide code of conduct to make our classrooms safe and respectful learning environments; and new school council regulations to provide parents with a stronger voice in their children's education. Over the last number of years I have heard from parents, and I've heard from teachers as well, that they have appreciated those reforms, those steps to make the classroom a much better place.

I believe the evidence is there and will continue to be there that the degree to which we are prepared to shore up the resources of the classroom, to support the professionals in the classroom, to help parents become more involved in the education of their children—the degree to which we advance that agenda—will in fact result in more quality of education, in much better prepared, all-rounded students as they graduate from our system.

Another element of those reforms was standardized testing to enable parents to know how their children are

doing. Speaker, I can tell you, and I'm sure you experienced the same, that in 1995, as we were campaigning in that election, there wasn't a door that I knocked on where the subject of education came up where either parents or teachers alike didn't talk about the need for some form of standardized curriculum, some form of standardized testing so that we would in fact know how well our students are doing.

Finally, this government has increased overall resources for education significantly. For example, with the additional \$360 million we're providing for the current school year, education spending has actually increased from \$12.9 billion in 1995 to \$13.8 billion today, a growth rate, I might add, well above that of enrolment.

The most important foundation of quality education is excellence in teaching, and that's what brings us back to this bill. Excellent teachers are vital in helping students succeed and achieve higher standards. Parents and taxpayers require the assurance that Ontario's children are being taught by the best-qualified and the most highly skilled professionals in Canada. This means we must have a clear and fair standard for measuring how well our teachers are in fact doing in the classroom.

These concerns led us last year to announce the Ontario teacher testing program. It's a comprehensive plan that has several key elements, and I want to just review some of those with you: a language proficiency test for new applicants to the teaching profession who took their training outside Ontario in a language other than English or French; a qualifying test for all new teachers in Ontario's classrooms; an induction or mentoring program for all new teachers; a mandatory professional learning program; an Ontario teacher recognition program; and a consistent province-wide performance appraisal system for teachers.

In looking at the existing professional development system in Ontario, we found that teacher training, upgrading and assessment were not as consistent, effective or rigorous as they could be. As the member from Beaches-East York indicated—and I don't disagree with him—the vast majority of our teachers are in fact in that category of excellence and take it upon themselves to further their educational program through professional development. The reality is, however, that not all of our teachers take that initiative. It is inconsistent across the province, and we're simply saying through this bill that we want all teachers to have the same standard of excellence across the province.

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This situation led us to create the Ontario teacher testing program, to ensure that professional development and assessment would be comprehensive across the province and fair for all Ontario teachers. We have implemented teacher testing in a phased-in, logical fashion. The language proficiency test requirement has been in place since September 2000.

We introduced Bill 80, the Stability and Excellence in Education Act, 2001, which this Legislature passed last June. Bill 80 established the foundation for mandatory

professional learning requirements for all teachers in the province. The professional learning program mandated by the Stability and Excellence in Education Act is both detailed and comprehensive. That is precisely what has been missing in the province to date. It requires teachers to take part in a series of professional development courses and activities over five-year cycles throughout their careers.

Bill 80 requires that the College of Teachers begin the professional learning program this fall: 40,000 randomly selected practising teachers, as well as 6,500 new teachers, began their five-year program this September. All other members of the college will begin their five-year program next year.

Bill 110 now moves us forward with the next steps in our plan to ensure that all teachers are teaching to the best of their ability. The Quality in the Classroom Act, 2001, proposes additional initiatives to support quality and excellence in teaching in two key areas. First, the legislation would establish a qualifying test for all new entrants to the profession, to ensure that all teachers begin their careers in this province with the knowledge and skills expected of a teacher in Ontario. I don't think there would be too many people who could object to that type of entrance examination. It only makes good common sense. Second, it will establish a comprehensive performance appraisal for the regular and consistent evaluation of teacher skills and classroom performance.

I'd like to address first the proposed requirements for a teacher qualifying test. Bill 110 proposes that new teachers be required to pass the Ontario teacher qualifying test in order to receive a certificate of qualification to teach in Ontario schools. That test would assess the readiness of candidates to effectively enter the classroom. Its purpose is to ensure that teachers have the necessary level of knowledge and skills that they need to begin teaching in Ontario schools. The test would be administered to all new graduates from Ontario's faculties of education and to teachers new to Ontario. It would be similar to entrance-to-the-profession tests used by professional bodies in other areas within the province today: nurses, dental hygienists and therapists, for example. So this is not something that is being imposed on this profession that isn't being asked of other professions.

As I indicated earlier, Bill 80 established a comprehensive system of professional learning for Ontario's teachers. We also need a province-wide approach to measuring how they apply what they have learned. The need for a comprehensive approach, then, to teacher evaluation in Ontario to improve and enhance teacher performance has already been established. We need a province-wide performance review that applies to all school boards and that is regular, consistent and fair to all teachers right across the province. That is precisely what Bill 110 is proposing.

Under the proposed teacher appraisal program, teachers would be expected to develop an annual learning plan, and this would be in consultation with their principals. The frequency and timing of teacher evaluations

would then be standardized. School principals and vice-principals would evaluate the classroom performance of current teachers every three years. I recall that when I attended school some time ago periodically someone would come into the classroom. At the time I didn't know who they were; apparently they were superintendents who would come to the classroom, and their purpose there was to evaluate how that teacher was doing. That's appropriate. It's not simply a matter of knowing what academic knowledge a teacher has, but how well are they actually able to translate that to their students, how effective are they in the classroom?

New teachers would be evaluated twice a year during their first two years of teaching. A teacher's knowledge of the curriculum and the way they impart it to students, as I indicated, would be reviewed, as well as their classroom management skills. Any low-performing teacher would be given the time and the support necessary to improve.

Parents and students will also have input into that performance appraisal process, and this is important, because at the end of the day it is the student who is on the receiving end of that teaching that's taking place. Parents will have a front-row seat in terms of knowing how well the teacher is doing relative to their children's performance. So this process that is being proposed under this legislation would actually engage the student as well as the parent in that appraisal process.

The three-year phase-in of the performance appraisal process would be established so that by September 1, 2004, all boards across the province, all teachers across the province would be covered.

Although Bill 110 focuses on providing support to teachers who need to improve their classroom performance, there are measures that could lead to school boards actually dismissing teachers who fail to show improvement. I think that's an important part of this legislation, that there actually be consequences, that there be some mechanism for school boards to deal with teachers who simply are not willing or are for some reason perhaps incapable of meeting the standards that are being set out. Given that circumstance, Bill 110 does set out clear and fair procedures to be followed if in fact a teacher receives repeated unsatisfactory performance appraisals and is then dismissed by a school board.

Bill 110 also provides safeguards to prevent low-performing teachers from simply moving from school to school to avoid the accountability that is intended in this legislation.

The final innovation provided by this legislation relates to parent and pupil involvement in the teacher appraisal process. Bill 110 provides for their input, as I indicated, to be obtained annually, and this would be by the principal or the vice-principal through a standard survey instrument.

Teachers play a critical role in influencing our young people in this province, in shaping their lives, in shaping their attitudes and ultimately in shaping their character. It's essential, therefore, that the evaluation of a teacher's

training and learning be continuous, that it be consistent, that it be effective and rigorous to the degree that is possible.

We want to ensure through this legislation and through the other reforms that we've introduced that all teachers have the up-to-date skills that are necessary, the knowledge and the training that they require to provide Ontario students with the best possible education. The proposed Quality in the Classroom Act is the latest step along the path toward a system where higher student achievement is the common goal of all education partners.

I've said this before, that regardless of how good the curriculum might be, regardless of how good the testing system might be that we introduce in this province, regardless of the legislation that we introduce to reform and improve education, at the end of the day, if we do not have highly qualified and skilled teachers who are motivated—and ultimately, this is more important—to bring those skills into the classroom and teach enthusiastically, then all of our initiatives and all of our efforts will at the end of the day not achieve the goals that are intended.

So I ask all members to join with me in supporting this important legislation, to set the pace, to demonstrate that in fact the intention of all of these education reforms is to ensure that Ontario's education system is the best not only in Canada but around the world, and through that, that our teachers as well will have the reputation of being the best in the world. I believe that this legislation can in fact be one further step to helping us achieve that. I trust that all members of the House will join us in supporting this.

1620

**Mr James J. Bradley (St Catharines):** I always deplore the fact that I have to speak on a time allocation motion. I would prefer to be talking about several important issues that could come before the House, whether it's in the field of education or health care. There are people in my community who are getting treatment for macular degeneration. It's Visudyne treatment. They have to pay \$2,600 per treatment. That's OK if you're rich. If you're not rich, that's very difficult. We have our community care access centres in trouble because of government underfunding and now taking control. So we have all these things happening that we could be debating, discussing and trying to improve, and here we are discussing another time allocation motion.

People should know why we have a time allocation motion before us. It's because this government wants out well before Christmas, if they can get out, so they can run their own show, their leadership dog-and-pony show, across the province. So you don't have one minister contradicting another minister. I went at noon to hear one of the ministers speak. It was on the subject of education, which she dwelt on with some interest. That was the Honourable Elizabeth Witmer. What she talked about was the fact that the teaching profession is demoralized. It's been demoralized because of the way this government has treated members of the teaching profession. She proposed that she was going to change that. When I

mentioned that in an interjection in the House, the Minister of Education said, "Well, Mrs Witmer voted for all the bills that the teachers had objected to." Perhaps she's right in that regard. But we should know why we're rushing all the legislation through.

We could sit close to Christmas. We can sit in the new year. I would prefer to see us come back in January and February and debate and discuss and try to improve upon legislation that is brought forward. That won't happen, because these people want out. Their trick is to bring them to the House at the last possible date, rush them out at the earliest possible date, and sit both day and night so they can rush the legislation through and face as little scrutiny as possible, as few media scrums as possible, and that's most unfortunate.

On this bill, again, it's a case where we're talking about education. The member from Oak Ridges mentioned the whole idea of having enthusiastic teachers who want to go into the classroom, who want to teach. Well, I have not seen the profession as demoralized as I've seen it today. I was discussing with a number of teachers the other day the problem of that demoralization: how people today retire not two or three years after they're eligible, not at the end of the year, not at the end of the term; they retire the day they can retire. These are people who have dedicated their lives to teaching. These aren't just people who floated in and floated out and never had an interest. When you see that kind of teacher getting out as soon as possible, you know what this government has done to education.

I don't think there is anybody in this House or in this province who says that everything any government has done in education is wrong, and that includes this government. But I think they look at the motivation, the way things are implemented and what we actually see, and they make a judgment on that basis.

One of the problems we're confronting in education is that of closing schools now. In my own community we have three elementary schools, among others, that recently have been placed under considerable scrutiny: Lakebreeze, Maplewood and Dalewood. There is a battle royal going on at the present time. The government sits and smirks—not the members who are here today—because the people who are objecting to the closing of those schools go to the local board and blame the local members of the board of education.

Unfortunately, the members of the board of education are in a straitjacket. That straitjacket has been manufactured here in Toronto by the Ministry of Education and by the Premier's office, essentially, with a new formula which really militates in favour of closing some of the neighbourhood schools that have been so important to those neighbourhoods over the years.

I can sympathize and agree with all of the parents who are fighting to keep those schools open at the present time. They are neighbourhood facilities; they're community centres. It means an awful lot in terms of the neighbourhood. It means people with children will move into a neighbourhood if they realize there's a school

there. What's happening is that schools are closing. Some have already closed—some secondary schools, some elementary schools—and kids have to be bused. My estimation today would be that there are far more children who are now on buses than there ever were before, and I'm not just talking about the rural kids who are devastated by the fact that in a small town or village a school is closed and people are sent a couple of hours on a bus somewhere else.

To the people who are trying to defend Maplewood school, Dalewood school and certainly Lakebreeze school and all of the other schools in our community from being closed, I am clearly and personally on the side of keeping those schools open as community schools. That cannot be accomplished easily unless the provincial government, through the Minister of Education and the Premier, is prepared to change that formula to allow those kinds of schools to stay open and continue to play a significant role in their neighbourhoods. I call upon the minister at the provincial level to do that so that the local boards of education are not placed in an unenviable position of having to slam the door shut on any particular school and force children either to move or to travel some considerable distance to a school, and to have that property and that building lost for community use, although we do know, again because of the funding formula, that the cost of utilizing the property and the building is now much more than it ever was before, because this government has decided that user fees are going to have to be imposed because they won't cover the use of those buildings in their funding formula.

I notice the government is now advertising once again. One thing you can always count on: turn on the television set and the government is advertising, squandering millions upon millions of dollars—it's going to be up over \$240 million now—on self-serving, blatantly partisan government advertising. The irony today is that they are advertising the advertising that's coming. They're having advertising saying, "Now, we have this survey out there. And by the way, you can read ON magazine which is coming out," which is another propaganda sheet this government puts out.

I wonder where the taxpayers' coalition is. I'm going to phone Frank Sheehan. He used to be the head of the taxpayers' coalition in our area. I'm going to phone Frank up and complain to him that indeed there is a squandering of money taking place, taxpayers' dollars, on clearly self-serving advertising. That should be discontinued. The money should be applied to the classroom, to amending the formula. That would be, I think, welcomed by people in this province.

We had the word from the Treasurer today. He's now saying, as is the Chair of Management Board, "Well, we're going to have to make some cuts." The economic nonsense they've tried to peddle to the people of this province for the last six years is now of course being exposed. I'm one who says that the booming Ontario economy was as a result of the booming American economy. I don't blame the government today. I'm consistent.

I don't say when there's a downturn today that it's this government's fault, because it wasn't their doing when we were booming.

What I do object to is the government choosing to give away \$3.5 billion in tax cuts. We have a huge \$2.2-billion tax present to the corporations of this province. We have at least a \$300-million voucher system that some of the right-wing members of the caucus would like to see for private schools, and we have more income tax cuts coming. The people I'm talking to are saying, "Look, would you please invest that in Ontario?" The jig is up. At first, they were kind of attracted to these tax cuts, and now they're seeing the consequences. Oh, the rich people are for it and the people in the private schools are going to be for it. The corporations are roundly applauding, as well as going to the fundraising dinners in great numbers. They're all happy with it, but now people are beginning to see the consequences, because when there's a downturn in the economy, these people are now panicking. They don't know what to do.

I know what's going to happen. There are going to be further cuts to education and health care and environment—not the Ministry of the Solicitor General, because he's got a crisis, but there are going to be all kinds of cuts. Maybe the Ministry of Transportation as well—all kinds of cuts. Why is that going to happen? Because these people are foolishly giving away \$3.5 billion in tax cuts which will largely benefit the wealthiest and most influential people in this province.

I'm checking with my members to see how many speakers we have so that I know how long I can take.

1630

**Mr Marchese:** Two more minutes.

**Mr Bradley:** We have two more minutes. The member says two more minutes. I'm delighted with that.

*Interjection.*

**Mr Marchese:** You're strangled.

**Mr Bradley:** I'm delighted with that. I am strangled by this, but I have to go to a committee, so that's another problem.

What we could see in education, and I think what people are looking for, are services for those in need. People are calling constituency offices virtually in tears, saying their special-needs children are unable to get the services they need in our schools. That's most unfortunate, because if they don't get them, there are some real problems created. Very often those children end up, unfortunately, as adults in the correctional services system or end up on social services. Why? Because they didn't have that early intervention on the part of the provincial government. We've got all kinds of money for tax cuts for corporations but not the money to service the legitimate needs of children within our system, students within our system who have special circumstances that require addressing by this government.

We'd like to see smaller classes taking place. We'd like to see an infrastructure improvement to our schools. While they are closing some, they have portables all over in other places. There are many problems to be identified,

and this government is fiddling around with a number of things they think are politically popular.

I would say that if you went to members of the teaching profession and said, "Look, would you come up with a model for teacher evaluation, because people want to see that," they would do so. This is simply all about once again pandering to people who don't like teachers or members of the teaching profession, because we know principals evaluate them, superintendents, when they have time, evaluate them, and others evaluate teachers within the system. I think we want to make sure the teachers who come in are well qualified. We want to encourage and ensure that there is professional development taking place.

What I would recommend to the government is that they sit down, as I think Elizabeth Witmer was proposing today—I don't think I'm misquoting her—with members of the teaching profession, bring them together and try to find a formula that will be supported by all in this province. That would be something useful, instead of ramming through yet another bill using time allocation or closing off the debate.

**Mr Marchese:** It's a pleasure to speak to this bill, Bill 110, and it's a pleasure to welcome you, Ontarians, to this political program. I've got to tell you, you're special people; you are, because those of you who watch this political program are engaged in what is happening in this place. You're part of the debate. By watching this debate, you are part of it, and you're very special, because there are a whole lot of other people who just don't want anything to do with politics. So you have a special burden as well and a responsibility in terms of listening to what the members of this assembly have to say, listening to what the government and the opposition have to say, and at the end of the day deciding which side of the fence you're on. You have a special responsibility, because at the end of it, when you discover that the government may not be telling you what you think is going on in your schools and in your community, the obligation on your part is to go out and tell those who do not watch this political program about what this government is doing to you. That's the obligation you've got.

Our obligation is to speak against motions of this sort, which strangle debate in this place and are intended to choke off discussion. Why? Because, as the member from Beaches-East York said earlier, this government doesn't want to hear about what they're not debating but only what they want to put forth to make it appear to you, good citizens, that they're actually doing something about education—in fact, making it better.

The real issue, good citizens, is the following: "Everyone likes to focus on numbers and on measurements," says the Elementary Teachers' Federation of Ontario. They've got it right. Why? Because they're easy to understand. But they just deflect our attention away from other issues, and what are those other issues? They are funding cuts, fewer resources, more central control and more rules. That's what the debate is all about, except that they don't want you to focus on what this govern-

ment has done; they want you to focus on another agenda so your attention is not cast on the real things that matter to them, which is how you centralize education control. Remember, this is the government that never wanted to centralize anything, because this government is, of course, against centralization generally, à la Communist model.

The former Communist bloc liked centralized control. I know, and you're opposed to that. So it puzzles me that you take on a model that you reject from other places that have other ideologies, but you exercise the same kind of control over education. Control over money and over the educational system is now in your hands—in the Premier's hands, by and large, and now the Minister of Finance is controlling the educational system, and the Minister of Education to some extent. So it's organized centrally by you, the government. No one has any local control any longer. It's centralized planning.

Why don't you talk about why you believe that the centralized model is the way to go? Why don't you ever speak about that? You don't because you don't want to tell the public that the reason you centralized control is to take control of the finances in order to make the \$2.3-billion cut. That's what it's about. But good Lord, no, you wouldn't want to talk about that. As the member from Oak Ridges said, "Oh, no, we increased funding to education." How it is that you can take \$2.3 billion out and say, at the same time—which is curious. I don't know how you do it, but the magicians on the other side can. They take out \$2.3 billion and they say, "No, no, we put in more." They're good magicians, good Ontarians, good citizens all and good taxpayers. Aren't they good? You take out money and you say, "Oh, no, we put more money in. We wouldn't want to talk about cuts, of course, because, no, we have improved the educational system since we Tories have come into power."

So it's to deflect attention from the real issues that are affecting rather negatively the educational system that we're talking about teacher testing. Teacher testing is the politicization of the educational system that these people said they never wanted to do. They said they don't want politics in education, and that's why they beat up on trustees and teachers, but particularly trustees. So it's not good for trustees to be politically engaged in the educational system, but it is all right for this government to introduce politics in the educational system. How can you have two standards? Citizens, do you understand what I'm saying? They said that trustees are too political, but it's OK for Mike Harris to be political and to centralize control so as to, presumably in the words of the Oak Ridges moraine, improve the educational system.

Teacher testing is punitive; it is intended to be so. It is intended to say to you, Ontarians, "The system is broken," as Mr Snobelen said six years ago or so. "The system is broken," and they need to fix it. The system was never broken. But they had to create a crisis to make it appear to you citizens that they need to correct the problem. The correction of the problem is to take \$2.3 billion out. That's what it's about. It's punitive in its intent, and they know it.

You have Frank Klees, the member from Oak Ridges, constantly saying with that nice, calm, oily—no, not oily but rather honey—voice that they're trying to improve the system. They're not improving the system. He thinks that by adding that nice, oily voice of his it's going to make it sound nice and acceptable to the parents, but it's nothing of the kind. It's not honey; it's oil that is oozing out of the words of these members when they talk about measures intended to improve the educational system, because it isn't. I know it, teachers know it and parents involved in the educational system know it as well. The people who do not know it are the ones who are outside of the educational system. They are the ones these people are appealing to. It is for that reason they are putting out the Ontario Parent Survey on Education. This survey, member for Oak Ridges, told me, when I went to the press conference, that you guys ran out of ideas. You've exhausted your supply of beating up on teachers. So they came up with this survey.

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The first line, to read it to you—listen to how, I wouldn't say illiterate but how almost elaborate it is in style, and I don't know whom it is intended to reach. But listen to this: "Please tell us about the child whose experience will provide the basis of your responses in this survey." It's very academic, I've got to tell you. If you want to speak to the majority of people, you don't write this way. I don't know whom they hired. It could be some good American, but I'm sure it's not an American. Do you understand what I'm saying? Whom are they talking to? If you really want to reach ordinary people, that's not the way to write, first of all. Second, the Minister of Education announced at that press conference, "We want to talk to the parents, but also we want to talk to all Ontarians." So she contradicted what she really intended to do when she said, "We want parental input," and then she said, "We want thoughtful input," which was curious.

The problem is twofold: one, it's intended for Ontarians, non-parents, to comment on the school system even if they don't have any children in the system. How they can comment on the system and not be connected to the system is not beyond my imagination, but it is a bit difficult to ask people who are not connected. If you've got children, by and large you're probably connected to the education system. If you're not—so what are they really doing with the survey? They want feedback from the Ontario population to have a sense of political positioning in the next year, when they might be calling this election, the next one. "Political positioning" means, "What is it that we can glean from this survey that people answer that we can use for our platform the next time around? Because we ran out of ideas." Citizens, they ran out of ideas.

Then the minister said, "We want thoughtful responses." "Thoughtful responses" means, good Tories, the few of you who are in this place—it says, "Please indicate the grade of the child," and then you indicate the grade. "Assessing the quality of education ... how would

you describe the overall quality of the education your child personally received in his or her last full school year? Would you say it is excellent, good, satisfactory, fair"—the minister said she wants thoughtful. The answers to these questions are "excellent, good ... fair, poor." Presumably that's thoughtful as a response.

If you don't have children in the system, there is no line saying, if you're not a parent, how you answer these questions. Yet they will be able to answer that, and it will be done thoughtfully because they will be able to tick it off, saying, "Excellent, good, fair or poor." That's the survey they're doing. The minister said she thinks they're spending \$700,000 for this piece of work.

I was fascinated by it. Here is a woman, the Minister of Education, who has got, as we say in Spanish—and I won't say it—who's got something, right? What she's doing publicly is what normally governments do privately, through polling. She wasn't ashamed of being attacked about the television ads that she's already put into the networks as a way of proselytizing, as a way of advertising what this government has been doing. It wasn't good enough to have been shamed into spending money so publicly, so politically. She then, instead of hiding this piece of work and doing it on the sly, publicly has the fortitude to come and say, "We're going to spend money and do a survey," and the survey is nothing but political work. I thought, this minister's got a lot of strong stuff about her. They are not ashamed.

Anyway, I wanted to comment on the survey, good citizens, as a way for you to understand the fact that this government will waste no effort and will waste a lot of your taxpayers' money to get from you something from here that they can use for the next election, because they ran out of ideas. They have nothing more to say. Thank God they have nothing more to say, because they have already assaulted the system more than is their due, more than they can take.

The member from Oak Ridges makes the point that, "We're working with them"—teachers, presumably—"as education partners." How can you assault people day in and day out and call them partners? Then he argues that the teachers are not motivated, which presumably this teacher testing and also the teacher performance reviews are doing: motivating teachers. He says, "If teachers are not motivated, they will lose the initiative toward accomplishing the goals that they set out." I say, how can you—to give an example, if you treat your own children with such disdain, where you tell them they're moronic, where you tell them that they are not up to snuff on a daily basis, where you tell them they've got to pull up the straps and start teaching better because they're just not good enough, where you tell them day in and day out, "We've got to help you out because you're not doing a very good job, son"—imagine treating your son in that way. Is that going to motivate the kid to perform better? That kid is going to become, at the end of the day, one beat-up young man, one young man who's going to have a hell of a time surviving later on, because you have not given him the kind of support that he needs to grow up in

a healthy manner. I liken it to an example of how you can abuse your own children to the extent that they won't be motivated to do what they ought to be doing as healthy children, and that is to grow up with a parent or parents who, in a healthy way, raise them so that they feel dignified of their own abilities.

Do you understand that, member from Oak Ridges moraine? What you have done is to assault the teachers to such an extent that they are not motivated to do the job they want to do. Many of them are so disillusioned and dispirited that they have quit the system, both teachers and principals.

Principals are in charge of making sure they provide performance reviews, which is what this bill is all about. I told the member the last time that Principal Griffin from Toronto-Danforth told us about operating a snow blower on a snowy day, cleaning up when the toilets overflow, moving furniture. These are the activities that he's engaged in that take much of his time day in and day out. It occupies his time in a way that is not part of the leadership that he's asked to provide. The leadership of a principal is to provide help to those teachers so they can provide a better way to deliver that curriculum that you have so generously given them. Principals are there to help them, to make sure they are able to master the new curriculum you've given them so that all kids are able to operate to the maximum of their abilities. But Principal Griffin tells us he's spending time cleaning schools, cleaning toilets, clearing snow.

How, good citizens, can you expect teachers to do a good job when they're assaulted all the time? How can you expect that of the principal, who's busy doing things that he ought not be doing, when presumably he's going to have the job—he always had it and she always had it—of appraising and evaluating a teacher's work? How can they find the time to do that while at the same time they're being asked to do the job of caretakers? How can we do that? We've done that because the funding model that these Tories have introduced is simply inadequate. It's not people-based; it's not children-based.

We know from the surveys that have been done by People for Education—and, by the way, People for Education have devoted enormous amounts of time tracking what the schools are missing ever since this government came into power. They were the only ones in the system tracking the shortage of textbooks; I'll go through the list in a second. They've asked the minister for the last two years for a meeting. The Minister of Education has not been able to find the time to meet with People for Education. For two years they have not been able to get a meeting. They are the ones who have tabulated, very diligently and with a great deal of care, all the interesting highlights of the cuts that this government has made.

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Here are some of the discoveries they have made in the tracking: province-wide parent fundraisers fundraised a total of \$30 million. What does it mean to me when they say that? It means they're so short of money that

they are raising more money than ever before. They are fundraising for basic things in the schools. Is that right to you, citizens? It's wrong, I argue, and I know you feel like we and People for Education do, that raising \$30 million to make up for the cuts of this government isn't something parents should be doing on top of paying taxes.

They have shown that 42% of schools reported fundraising for classroom supplies; 58% of classes have 25 students or fewer, a 14% improvement since 1998, which is interesting; 66% of schools report students are still sharing textbooks; 65% of schools report worn out or out-of-date textbooks; only 68% of schools have a library staffed by a teacher-librarian compared to 80% in 1998; only 18% of schools have a full-time teacher-librarian. The number of schools with a full-time principal is down 10% since 1998. Only 37% of Ontario schools have a specialist physical education teacher, down 10% since 1998. The number of schools with English-as-a-second language programs is down 24% since 1998. The number of schools with design and technology specialist teachers is down 48% since 1998. The litany goes on and on in terms of the cuts this government has made in waging a needless war against our school system.

In Toronto our pools are threatened with closure because the Minister of Education said in answer to a question from the member for Beaches-East York, "We don't fund pools." She said it in a very haughty manner, in a very dismissive manner. We argue on this side, "We know you don't fund the pools, because boards of education in the past were able to raise the money on their own through the control of the property tax that they had, and they decided it was important to have the pools in our schools a long time ago. They were able to pay for it because they had access to the property tax base." When you centralized funding and you took that away, it meant that the boards had no more control. It meant that they're on their own in terms of paying for those pools. So we understand, Minister of Education, that in Durham you don't have any pools and you know that you don't have any. You may not have known that Toronto has pools—I'm not quite sure—but once you discovered that Toronto has pools and they're threatened with closure because they don't have any money to keep them open any more, surely, given that you took centrally, bureaucratically, control of education financing, given that you've done that, could you not have restored sufficient funding so that school boards that have pools could keep them open? I say yes, that's what you should be doing; that's your job.

But you centralized funding for a reason: to take money out of school boards, not to put money in. That's what we should be talking about. We should be talking about what's missing in the educational system and not what it is that you think ought to be there for political reasons. We are engaged in this political debate so that you can win the hearts of 40% or 50% of the population who, in your mind, hopefully will believe that you're improving the educational system.

If those improvements indeed were happening, they would show themselves in educational outcomes. The fact is the educational outcomes of children, through the rigorous test that you have waged against students and against teachers, are showing that the improvement is not there to be seen. There is no better educational outcome than in the past. So what it tells me is that it's a political game, similar to the income tax cuts that you have given to wealthy Ontarians and the corporate sector in this province.

I remember the Premier saying that tax cuts were going to make economies recession-proof. But we have a recession now, and if tax cuts were to have been successful, as the Premier had indicated, we would have—

**Mr Mazzilli:** It's just a slowdown.

**Mr Marchese:** Frank Mazzilli says it's just a slowdown at the moment. It could deepen, but—hold it—income tax cuts should have forestalled even a slowdown let alone an economic recession. If the politics are, as our illustrious finance minister states all the time, that these tax cuts are good for us, then presumably they should have forestalled even, Mr Mazzilli, a minor slowdown of the economy. But it's not showing that. So, Frank, I say to you, what's happening? What are you guys doing? You say that your initiatives will save all Ontarians and create the jobs we need so they'll never be as unemployed as they were in the past, and yet we're seeing a slowdown.

**Mr Mazzilli:** Short-term.

**Mr Marchese:** Oh, short-term, we hope? And yet the Management Board Chair announced today—he didn't announce quite yet—that there will be \$5 billion in cuts. Brace yourselves.

Hold it. The income tax cuts were supposed to have saved Ontario, created jobs ad infinitum. What's happening? And all of this money that these income taxes are generating, where is it going that we should—Management Board Chair says we possibly need to make cuts in the order of \$5 billion?

Good citizens, I bring this issue to your attention because when the member from Oak Ridges moraine says, "We are introducing these initiatives to improve education," I say to you it's not achieving the desired effect. It's achieving the political effect that you wanted but not educational outcomes, similar to the income tax cuts that you have frittered away. You've wasted billions and billions of dollars to no avail.

Not only that, the Minister of Finance in his wisdom—not in the wisdom of the Minister of Education, because she wasn't consulted, poor woman, *la pauvre*—has decided on her behalf that private schools were going to get money. And it's not \$300 million; it will be more. Because the Premier indicated it would be \$500 million; \$500 million taken out of our meagre budgets, because we're broke. We don't have any money, we're going to have to cut five more billion, yet the Minister of Finance in his wisdom was able to find 300 million to 500 million bucks for private schools.

Now, Mr Ernie Eves, who's coming back as a leadership contender, said, "Hold on." He wasn't quite certain

about this private-school funding, but he argued, unlike the illustrious Minister of Finance, that if money should go to private schools, then they need to follow our Ontario curriculum. Oops. Because the Christian schools, the religious schools say, "Uh-uh. That's not good." They're going to have to go to Mr Flaherty, the finance minister, and say, "Jimmy, what's going on? I hope he's not going to win, because if he wins, we're going to have to follow that curriculum, and you know how we feel about the curriculum. We feel, as religions, we should have our own curriculum and not something imposed by the centralized government." It's going to be fun. It's going to be fun watching this debate.

Mr Clement, the Minister of Health, said, "Oh, no, we need more tax cuts, not less." The other illustrious member, the Minister of Health, says, "We need more tax cuts. It may not be enough to cut \$5 billion." If Clement gets into power, we're going to have to cut, who knows, \$10 billion more from our ministries, eh, David? I know you're enjoying this discussion. He's enjoying it so much he's leaving.

If Mr Clement, the Minister of Health, gets elected, who knows how much we're going to have to cut from our ministries.

Good citizens, we have been doing performance reviews for teachers for a long, long time. Teachers are likely—as much as they don't like what you people are doing to them—to be accepting this because they've been doing it. It's not new to them.

They know you're doing it for political reasons. I know you're doing it for political reasons. I want the watchers, the citizens, to know it's all politics and nothing else. As long as you know and you work with us to make sure we share this knowledge with the other Ontarians these people are trying to reach, we're going to be able to throw these guys out. We're going to be able to throw this crowd out whenever they call the election, which might be earlier than we suspect.

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I tell you, on the issue of teacher testing it's all peer politics. They know that as soon as you say you're going to test teachers, 60% of the people out there are saying, "Yes, that's good," and it's politics. Is it effective in terms of educational outcome? No. There is no study in the world that says testing teachers, in the old form they thought of or the new form, is going to make anything better. You've got to work with teachers, you have to work with parents and it's got to be collaborative. You can't beat them up. Otherwise, Frank Klees from Oak Ridges, they won't collaborate with you, they won't be motivated and they won't be able to teach our children very, very well, which is what we really want, member from Oak Ridges moraine. Work with me, Ontarians; work with us in opposition to defeat this government.

**Mr Garfield Dunlop (Simcoe North):** It's always a pleasure to follow the member from Trinity-Spadina and it's a pleasure to speak on this bill this evening, this motion for Bill 110, the Quality in the Classroom Act, 2001.

It's the member from Oak Ridges, not the moraine. I know you're so happy with that bill, that piece of legislation we put through, that you can't get rid of it in your mind and you just keep talking about the moraine bill. It was great that you acknowledged him as the member from the Oak Ridges moraine. He is a great member from there.

It is an honour to stand here this afternoon to speak on Bill 110. It's the latest step in our government's comprehensive plan to reform publicly funded education in our province. As parliamentary assistant to Minister Ecker, I have had an opportunity to visit a number of schools across our province. In fact, I was happy to be in Halton last week, in Mr Chudleigh's riding, to visit the Halton Catholic District School Board. It was a pleasure to be there. I think it was around the 260th major addition we've done in the province of Ontario.

*Interjections.*

**Mr Dunlop:** I heard the heckling going on over there from the member from Kingston talking about the penitentiary. Of course, you're a specialist on penitentiaries, coming from Kingston. I'm so proud that just a week ago we opened the new prison in Penetanguishene, a \$90-million government of Ontario investment in my riding. I'm so pleased. The spinoff has been phenomenal. We've had 330 new jobs created out of that facility and \$25 million invested just in the local economy and construction. It's phenomenal. Yes, I've talked to the local residents and they're very happy to have those jobs. I'm very pleased with that.

I want to let you know that the purpose of our education reform—

*Interjections.*

**Mr Dunlop:** You see, isn't it amazing how it sets them off when you tell the truth here, when you actually mention how many jobs have been created and how much money has been invested? They don't like to hear those types of things. What's wrong with that? We've hardly had any federal dollars invested in our riding and I don't hear anything about that, but when we have a \$90-million investment in something like a superjail, it bothers people to hear that. We're proud to have that in Simcoe North and we're proud of that \$90-million investment and those 300 new jobs.

Excellence in education starts in the classroom with the best possible teachers. Every one of us carries with us memories of teachers who made a difference, who inspired us to dream dreams and meet challenges we were not sure we could accomplish. Good teachers prepare today's students for lives of success and fulfillment tomorrow, but in our changing world they must do something else as well. It is essential that they instill a love of lifelong learning in our students, as well as providing them with the tools to meet the challenges of changing jobs and new careers. For teachers to be able to get students ready for tomorrow's world, teachers themselves must be continually enhancing their skills, adapting to new technologies and keeping their skills up to date.

Of course, teachers are not alone in facing these challenges. Many other professions are faced with challenges of meeting tough expectations for quality and excellence from clients, consumers and the public. Professions other than teaching are embracing these new realities of a competitive world where comparisons and appraisals of professional performance are constant. Many professionals today have a variety of entry requirements, standards for professional development, ongoing assessments and accountability practices. For example, regulatory bodies for dental hygienists, nurses, occupational therapists and lawyers all require candidates to pass exams that test basic knowledge and skills to become fully licensed or registered to practise in Ontario.

The Law Society of Upper Canada requires its members to provide information on their continuing legal educational activities. The Ontario Association of Architects has a mandatory continuing education requirement for all licensed members. The Royal College of Dental Surgeons of Ontario requires its members to complete a mandatory program of professional development over a specified time period.

Ontario has many excellent teachers, and many of them recognize the need to keep their knowledge and skills current. They are actively involved in professional development activities to build their qualifications and develop new knowledge and skills. That is why our government has introduced a comprehensive teacher-testing program to ensure that all teachers, both new and experienced, have the capability to help our students succeed and achieve higher standards.

Bill 110 would establish a qualifying test for all entrants to the profession, whether trained in Ontario or elsewhere, to ensure they have the basic knowledge and skills expected of an Ontario teacher. New teachers would be required to pass the qualifying test to be certified by the Ontario College of Teachers and to be able to teach in the province of Ontario.

The second purpose of Bill 110 is to create a comprehensive performance appraisal system to evaluate teachers on their performance in the classroom. The new provincial standards outlined in the legislation would ensure that principals and school boards regularly and consistently evaluate teachers' knowledge and skills. In addition, the legislation would provide for parents and students to have input into the appraisals process, and low-performing teachers would be given the time and support they need to improve.

In the time I have today, I would like to focus on the details of the performance appraisal system proposed by Bill 110. Bill 80, which the Legislature passed last June, established a comprehensive framework for professional learning by Ontario teachers. Bill 80 requires all teachers to participate in a series of professional development activities. Bill 110 builds on the provisions of Bill 80 in several ways. The bill would establish the regulatory authority necessary for the establishment of teacher learning plans. These plans would be developed by teachers in consultation with their principals, and would map out the action plan for their professional growth.

There is an essential and necessary link between professional learning and evaluating performance. Mandatory professional learning ensures that teachers' knowledge and skills are up to date. Performance appraisals provide the necessary quality assurance that professional learning has been effective and that the teachers in our classrooms are the best they can be.

Equally important is the way Bill 110 would bring consistency to teacher appraisals in reference to their frequency, timing, standards and methods. This is a critical need that was drawn to our attention by a number of education partners, especially the council of the directors of education. As we developed this legislation, we asked the Council of Ontario Directors of Education to conduct a survey of teacher appraisal practices across the province. What the directors' survey found confirmed the need for taking a much more comprehensive approach to evaluating teacher classroom performance. While boards have been developing tighter practices in this area, few boards today have policies and programs in place to help weak teachers meet the standards they need to achieve. In addition, few boards currently have evaluation policies that recognize teacher excellence or identify possible mentors or exemplary teachers. These findings reconfirm the value of Bill 110 and the need to provide consistent, across-the-province standards for teacher evaluation. The creation of such standards would clearly be a major factor in ensuring that our teacher appraisal system is fair to all members of the profession no matter where they teach in our province.

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These are the reasons that the bill would provide for every experienced teacher to have an evaluation year every three years and for there to be at least two evaluations during that year. In addition, Bill 110 would also do the following:

It provides for all beginning teachers to receive two evaluations during each of their first two years in the classroom and for all teachers new to a board to be evaluated two times in their two years with a new employer.

It provides that if a principal has concerns about a teacher's performance, he or she may do an appraisal of the teacher more frequently. It also provides that teachers can be evaluated by principals or vice-principals.

It provides for provincial regulations to set standards and methods for performance appraisals. These can spell out the competency to be evaluated, the rating scales to be used and the standards, methods and timelines to be taken into account in conducting performance appraisals.

Finally, it provides for the minister to be able to issue guidelines relating to the knowledge and practices that evaluators should look for in conducting performance appraisals.

Our government strongly believes in the involvement of all parents in their children's education. That's the reason we created school councils, to ensure that parents have a stronger voice in what's going on in their children's schools. Bill 110, therefore, would also provide the regulatory authority for parent and pupil input to be

taken into account when teachers are being appraised. However, parental and pupil comments would not be the sole factor in an unsatisfactory rating of a teacher.

Teacher appraisal is designed to ensure that the teachers have the knowledge and skills they need to ensure student achievement and excellence. The appraisal system has another important purpose as well, and that is to support and facilitate teacher improvement. That's the reason Bill 110 places significant emphasis on what happens when teachers receive a less-than-satisfactory rating.

Bill 110 provides a very detailed and fair approach to teachers receiving a less-than-satisfactory rating with a real emphasis on opportunities to turn an undesirable situation around to a teacher's advantage. Let me detail for members how the proposed system would work. An unsatisfactory rating would require the teacher to receive written notice detailing what is lacking in their performance and what changes are expected. The principal would also be required to provide the teacher with an improvement plan specifically outlining the steps to be taken in order to improve.

Within 60 days of the first unsatisfactory rating, the principal would conduct a second appraisal to see if improvements have been made. If the rating remains unsatisfactory, the same process that applied after the first rating would be followed. In addition, a second unsatisfactory rating would result in a teacher being placed on review. During the on-review period, intensive remediation and supports would be available to a teacher based on a plan jointly developed by the teacher, the principal and the superintendent. The on-review status would also require the principal to monitor the teacher's performance, consult on necessary improvement steps and provide feedback to the teacher.

A third appraisal would be required within 120 school days of the teacher having been placed on the on-review period. If the teacher is still found to be unsatisfactory after the third appraisal or after it has been determined that the best interests of the students require removal of the teacher from the classroom, a recommendation for dismissal would be required to be submitted by the principal to the local school board.

Pending the board's decision on whether to terminate the teacher's employment, the teacher would be removed from the classroom and either suspended with pay or assigned to other duties. Under Bill 110, if the board determined the teacher was not performing satisfactorily, the board would be required to terminate the teacher's employment. As is currently the case, boards would continue to be required to prove that due process has been followed when dismissing a teacher.

I believe members will agree with me that the performance appraisal system I have described is consistent and fair to teachers. It is also essential that the interests of students be protected as well. For that reason, the legislation we are considering contains a number of protections to ensure that teachers fired for unsatisfactory performance will not be able to teach elsewhere in the

province. Any board that fires a teacher for incompetence must advise the Ontario College of Teachers, which will then investigate the matter. If school boards wish to hire a teacher who has taught elsewhere in the province, they would be required to check with the teacher's previous employer on the teacher's performance. In these ways, Bill 110 would remove the possibility of low-performing teachers escaping accountability by moving under the radar from board to board.

In closing my remarks, I would like to summarize the key features of the performance appraisal system that would be established by this legislation. The most important foundation of quality education is excellence in teaching. Excellent teachers are vital in helping students succeed and achieve higher standards. Excellent teachers motivate, inspire and challenge students to achieve in ways they never thought possible. Bill 110 would help bring this promise of teacher excellence to every corner of Ontario.

I think it's safe to say that when we're talking about province-wide standards in anything, even the members opposite would agree that we like to see the standards across the province. That's why people are so happy with the provincial report cards. I heard the member from Trinity-Spadina talk earlier about his disappointment in the parent survey. I can't imagine for a minute why anybody would not want to consult with the parents across our province when it's their children who are at stake here. They want to know what the results are. Whether it's advertised on TV that a parent survey across the province is coming in the mail, whether it's advertised in the papers or on the radio, I think it's important that we recognize the fact that the government needs to know what the parents are thinking. I don't think we can always depend on what the president of the local teachers' union is thinking or what they're saying in the media. I'd like to hear what the parents are saying, because when I go from house to house or when I go from school to school and I talk to teachers, parents or students, I get a wide variety of concerns. They're not all the same in any particular school.

I was out at the Halton Catholic District School Board last week in Mr Chudleigh's riding, at the official opening of a beautiful new school in Georgetown. I talked to a number of the members of the board there and a principal named Miss Cynthia Tobin, a person with a great deal of experience in the teaching profession. When I talked to her and the directors of education, they told me how they had worked with five new schools out there, five brand new facilities in the Halton Catholic District School Board, and each time they built a new school they improved on the one before. I think it's important that we do those types of things. They didn't build five identical schools. For each school they found small changes that they made. Today the people in Georgetown who are attending this brand new state-of-the-art school are very pleased that they've got probably one of the nicest schools in the province today. In fact, I think they believe it is the nicest school in the province today.

In closing, I hope that all members of this Legislature will support this piece of legislation, Bill 110. As I said earlier, it's part of our plan to improve education reform in Ontario. We're very satisfied with most of those changes. We know they haven't been easy changes. They've been difficult decisions, many times. We acknowledge the fact that these decisions are not always controversial, but the fact of the matter is that we think the changes are needed. We think the people of the province of Ontario feel that education reform is needed, and we're happy to see this Bill 110 as another step in that way.

I want to thank all the speakers I've heard here this afternoon. They made some very good points. I'm always happy to hear the member for Trinity-Spadina speak. He's a very colourful gentleman. I wonder why he didn't win an Emmy award in the awards that were presented recently, but he gets his point across well. I'm pleased to follow him and the other speakers here today in bringing forth this legislation. I thank you for the opportunity to make a few comments.

1720

**Mr John Gerretsen (Kingston and the Islands):** I too am pleased to join the debate for a few minutes this afternoon. I found it very interesting this afternoon to hear all of the government speakers speak on the merits of the bill. You would wonder, if they want to speak about the merits of the bill, why they are once again invoking closure. If you want to speak on it, why are you basically saying, "We want this debate to end, we want closure, we want time allocation"?—call it what you like.

Speaker, you and I know that this government in the last six years, since it was elected in 1995, has invoked closure more often than all the other governments before it, going right back to 1867. For 128 years, the number of times that closure was used in this House equates to the number of times they have used it in the last six years. But it's even worse than that, because the few times when closure was invoked before 1995, it was done under rules that allowed a member to get up, particularly back in the 1980s and 1970s and well before that, and speak for as long as that member wanted on a particular bill.

You and I know that the rules of this House have been changed so drastically by this government, whereby debate is limited to no more than 20 minutes per member, and no more than 10 minutes per member if the debate goes for more than seven hours in totality, that the ability to speak on any bill by any member has already been severely limited, much more so than what existed prior to 1995. So I say to this government, what do you have against a democratic process whereby elected members speak on what you regard as a very important bill? What we've had here this afternoon is every government member totally ignoring the fact that this is a time allocation bill and speaking on the merits of the bill. I know there are some people who will say, "You know, nobody really cares. Nobody cares any more about closure. At one time this was a big thing, where democracy in effect

was shut down by a government, but nobody cares any more."

If that's so, and it may very well be, it's a sad state of our democracy in this province if people really don't care about that.

If it's really such an important bill, I say let the debate go on, even under the limited rules that we now have. I know there are many members in my own caucus who wanted to talk about this bill. We think there are many things you should be doing in the classroom that are more important than invoking this kind of thing. Just look at the name of the act. It's An Act to promote quality in the classroom. That's what this act is all about, allegedly. If you really want to do something that will promote quality in the classroom, how about limiting class sizes or reducing class sizes? That's where you can really have an impact. I've been in grades 4, 5 and 6 in some very good schools in my own riding and elsewhere where quite often you'll see 35 children, or more than 30 children, in one classroom. The minister can look at me and say, "It ain't so." I've been there and I know there are—

**Hon Mrs Ecker:** How big were they when you were in school, John?

**Mr Gerretsen:** When I was in school they were probably no bigger than that; they were no bigger than that. So in other words, you think it's all right. Now we have the Minister of Education on record and she thinks there's absolutely nothing wrong with having between 30 and 35 children in a class. I would say that the parents of this province, Minister, think you are totally wrong about that. If you were really concerned about the quality of education, you would take some of the \$2.2-billion corporate tax cut and put it back into the classroom so that we can have smaller classes. That's when you would be really doing something about the quality of education. Or how about hiring back some of those education assistants who were unilaterally fired by the boards across this province because there was no money to employ them any longer? We've all heard horror stories of children who were in one way or another disadvantaged having special education assistants for a number of years and then all of a sudden being shut out from that process because the boards couldn't afford them any more because you didn't give them enough money. Or how about making sure they have adequate resources?

*Interjection.*

**Mr Gerretsen:** How about just textbooks?

**Hon Mrs Ecker:** How much money is the Liberal government going to give them?

**The Deputy Speaker:** Stop the clock, please. Take your seat. I've asked the Minister of Education to please not interject. Things were relatively quiet before the honourable minister entered the chamber. I would ask her to please show the same respect that the opposition members have shown the government members when they had the floor.

Thank you. Start the clock. The member for Kingston and the Islands has the floor again.

**Mr Gerretsen:** Thank you very much, Speaker. Thank you for your excellent ruling. I always find it amazing with this government, when a minister of the crown in this government doesn't know what to say, they always say, "What are you going to do?" I told you what we're going to do. We wouldn't have implemented the \$2.2-billion corporate tax cut. Just think of what you could do in health care and education if you only had a portion of that money to do some of the things that we all care about, and that is to improve the quality of education in the classroom.

But there's something even much more important than that—much more important—and that is the morale of the teachers. I have spoken, over the last few years, with people who agree with me politically, people who don't agree with me politically, who are on the left or on the right, and they all agree about one thing: if you want to implement changes, the only way you can do it is to make sure that the people you rely on to implement those changes are onside. It is the very first principle of getting things done. If you want to make sure that what you want to do is going to be done in a productive and effective way, you want to make sure that those individuals, whether they're in the health care system or in the education system, believe in what you're doing and want to work with you. You don't beat them over the head.

For five to six years on a continual basis—whether you're for teachers or against teachers, everyone will agree—this government has beat up on the teachers continually during that period of time. I quote no better authority than the Minister of Health, Ms Elizabeth Witmer herself. What did she say today, or at least in a prepared statement what was she going to say today, to the Canadian Club in Toronto? This is a quote, according to the National Post. She says, "Because a new hospital with unhappy nurses isn't good health care and a new school with dissatisfied teachers will never allow us to achieve excellence in education.... I am also concerned that in the process we have neglected"—the process of all these changes that they've brought in in education—"to nurture the pride and enthusiasm of teachers that I know exists."

That is from your own cabinet colleague, and I totally agree with that. I'd ask Ms Witmer, if she were here: how could you possibly, as an influential member in the cabinet, have allowed this to happen? You've put your finger on the problem, all right, but how could you, as an influential member sitting there around the cabinet table for six years, allow this to happen?

I know why it was allowed to happen: because of the greed of the corporate sector. It was a heck of a lot more important to give \$2.2 billion in tax cuts, or even personal tax cuts, from which we've all benefited, than to ensure that we had quality of education and quality in our health care system. That is fundamentally what this is all about. We have choices, and the choice that you made is that it was a heck of a lot more important for people to pay less taxes rather than have good, quality health care and education.

If you want to talk about quality of education, then let's go right back to the real source. Let's go back to what really needs to be done.

Finally, in the last minute that I have, in this time allocation motion—it gets worse and worse all the time—it states that on this so-called important bill, according to you, you are going to allow one day of debate here in Toronto and then one day for clause-by-clause. It goes even further than that. If, for some reason, the committee doesn't report the bill back at the end of the day, then it shall be deemed to have been passed.

Tell me, what can be more inconsistent with the democratic process than where a committee is basically told, "If you don't report it back to us and you don't pass the whole bill, then it will be deemed to have been passed"? That's about as undemocratic as I can think of any situation being. That's why we need a democratic charter in this province whereby we look at this institution and say, "Look, we've got to make changes." That's why I would recommend to the people of Ontario that they take a look at the democratic charter that Dalton McGuinty came up with last week, because that sets out some fundamental principles about the role of the private member being able to disagree within their own caucus and the role of the committee system, which will make the system around here a heck of a lot more democratic than it currently is.

1730

**Mr Mario Sergio (York West):** I'd like to join the debate, even though for a few short minutes, on this important legislation which the province has introduced and again has said, "Enough talk on this bill. We are going to bring closure, therefore hurry up," and they're going to move on. As they did in previous bills, yes, they enjoy the majority of the House and they will probably go ahead and approve this legislation as well.

What is it exactly that's for debate here today? It is the so-called Bill 110, quality in the classroom. We have heard this euphemism on many occasions in the House coming from the government side, saying, "Whatever we are doing to the education system is because of the education in the classroom." I think we had previous bills calling for excellence in the classroom and excellence in the education system as well.

This legislation does two major things: one is to set out the requirements for entrance into the profession, testing or tests for teachers, and the other one is to set out standard requirements for the performance appraisal again of teachers. These are the two major components, and I do not intend or profess that I will go through each particular item of the bill, because I only have a few minutes. The other one of course is to give power as well to the Ontario College of Teachers, which in turn will establish rules regarding learning requirements. On top of that, as usual, the government is giving to the minister and the minister is retaining powers to do a number of other things with respect to the education system, such as delegating power. Again, when that happens, they don't come to the House, they don't go to the teachers, they

don't go to the parents; they say, "This is what we've decided to do," and they're going to go ahead and do it by regulation and not by legislation.

One point I want to mention with respect to this bill is that we are dealing with public education and public funding. There's nothing in the bill that says the government is putting on itself the responsibility or accountability for public funding. We have seen very recently the taking away of another \$300 million from public education, going to private schools. I don't have to tell you that there was a poll very recently condemning the government very highly for the way they have been handling education funding and the education funding formula. If the government truly intends to have quality education in the classroom, expecting quality education from our teachers as well, we should expect the same thing from parents, students, educators and, yes, of course, why not politicians?

Why are we debating this legislation? Because the government is trying—but they are not correcting—to correct their own mistakes that they have imposed on the people of Ontario, on the parents, teachers, students and unions for the past six years. They started with crisis after crisis. They have created a period of chaos and severe confrontations as well with those educators, with those whom we expect would provide excellence in the classroom, excellence in education for our kids. But unfortunately the more they do, the more it tends to aggravate the situation and create less of a positive situation within the classroom.

Part of this big problem has been the funding, let alone the hundreds of millions of dollars that the government has cut from the school system. It is that they went ahead and created this arbitrary funding formula which is not helping the kids in the classroom, the education system or the teachers themselves.

When we say that this bill is going to require new teachers coming into the profession to pass this qualifying test, because according to the government they want to create the best of education, the best system in Ontario, then why, when we are giving public money, why don't we have the same requirements from that sector of education that is the private schools? They are still our kids. They are still Ontario's kids. So if we are providing in the beginning \$300 million, why aren't we requiring that those private schools, as well, fall within the guidelines, the testing requirements imposed by this government on the public school system? I think it's another of those inequities that the public will resent, is resenting, and we will see the consequences of that for the government of today at election time, because what they are doing is totally against the interests of providing the best education for our kids in our public school system.

The funding formula has caused a number of problems. It has affected a number of areas, practically every single area pertaining to the education system. I believe that when we say the "classroom," I contend that every time a teacher or a student walks into that particular school, it is a part of their learning process. This goes

from kindergarten to elementary to secondary school, to college and university, adult education, post-secondary education. This is the result of their funding formula.

On top of that, it is creating a horrendous situation for the various boards and parents and teachers, because now they've got to deal with a number of school closings. Have they taken into consideration how this is affecting the education or the so-called excellence in the classroom? I don't think they have. If they have, then they should be having good second thoughts about how they are proceeding with this particular situation.

Very recently I attended a number of meetings in my own area where they have to close some of the schools because of the funding formula. I have attended a school where they have an after-school program, an absolutely wonderful program. They have 48 kids. I think they have another group of students of about 40 also waiting to get in on another program. They can't provide that wonderful environment because of the funding formula.

As I said at the outset, I can't debate on every aspect of the bill, but I think those are the most important. They are the important parts of the bill that I believe are really touching what the government intends to do, and that is to provide excellence in the classroom, and I would say to the government, do not continue in this crisis, do not continue to create more chaos. Pay attention to what the teachers are saying, the parents, the students, to us in this House. I think it's most important. Instead of invoking closure here today, I hope that the government, before they introduce voting and final closure, will take that into consideration.

1740

**The Deputy Speaker:** Before I call on the next speaker, could I ask members to please keep the noise level down. There are four conversations going on that can be taken outside.

The floor is now open for further debate.

**Mr Bruce Crozier (Essex):** As I have on too many occasions with this government since 1995, I find myself standing again, once more, to point out my disgust, and I hope the disgust of the public in the province of Ontario, at a government which limits debate, which chokes off democratic debate on this piece of legislation that we're dealing with today, which is Bill 110, An Act to promote quality in the classroom.

As I've said on many occasions during this type of motion, I'm surprised that many of the government members don't want the opportunity to stand up and comment on legislation that's being brought forward by their government. And then to add insult to injury, we find that, as my colleague from Kingston and the Islands pointed out and others have no doubt mentioned, even after this debate is finished, there's only going to be two days of public hearings, held in the city of Toronto, and then one day for clause-by-clause, and then we're finished till third reading debate, at which time we'll have 90 minutes for 103 members, less 20 or so ministers, to comment on what, again, the government members have said is a very important piece of legislation. I just can't understand it. I

may never understand why this government continually has to choke off democratic debate.

You know, this bill reminds me a bit of the amalgamation bills that were brought in, where this government says it's not government, that it wants to make way for others to govern, and yet it steps in and tells municipalities what to do.

Recently there was a bill introduced that we're hopefully going to have the opportunity to debate, and I suspect—in fact, not being a gambling person, I'd even be willing to bet—there will be closure brought in on Bill 130, that bill which involves the community care access centres in this province. There's a case again where this government is putting its huge fist into the operation of community care access centres in this province, for no other reason I can see than to stifle public input when it comes to the care of our elderly and our frail in this province.

And what have they done here? Again, the government is dictating what's going to be done rather than—which I think would be a better idea—giving the Ontario College of Teachers the responsibility and the authority to govern in these matters. With that, we would get input from teachers, yes; we could get input from parents; and we could get input from taxpayers, those who aren't parents of children in school. But does this government want to do that? No, no. They want to tell everybody exactly what should be done.

Part of this bill is that there will be an exam that new teachers will have to take prior to getting their certificate, which will be given to them by the Ontario College of Teachers. I suspect that the exam will be passed by those new teachers because, let's face it, they're examined and given exams and go through a thorough examination by those teachers' colleges that they graduate from. So to me it's just duplication. This government talks about red tape and bureaucratic roadblocks. Well, I think that the teacher education in our universities is second to none and that when they graduate from our universities they're ready, willing and able to teach and are well qualified. I'm only sorry that we don't have more time for each of us to have a little bit to say. I'm prepared to sit down at this time, and my colleague from Thunder Bay would like to make a few comments.

**Mr Michael Gravelle (Thunder Bay-Superior North):** Once again, like my colleagues have said so many times, it's just stunning how often this government has chosen to invoke closure on legislation that's before this House. We've seen it time and time again, and again with legislation such as this which is ultimately nothing more than part of a campaign this government has waged basically against the teaching profession in this province and an attack on the education system where they've systematically demoralized the system, systematically taken money out of the system. It's just stunning that the way they choose to deal with it at the end of the day is to put time allocation on debate. It's wrong, I think everybody knows it's wrong and I think even the government members themselves know that it's the wrong way to

approach it. It's certainly something we resist and that we'll argue against, but I guess as long as they have the power to do so, they'll continue to do it that way.

It's a real shame. We've seen it. I've recently had numerous conversations with a number of teachers in my riding. That goes for people who are working from the smaller boards, the large Superior-Greystone public board and catholic boards. They're under extraordinary pressures in those smaller communities related to a number of things besides the profession itself, such as school busing issues which are major in those smaller communities, and also the fact that the system itself, even in the city of Thunder Bay, is under attack. It really is upsetting and does make you think of the other measures this government is taking. My colleague Mr Crozier made reference to the community care access centres. We have seen the government bring forward legislation—I think it's called the Community Care Access Corporation Act—which to me is nothing more than a hostile takeover by the government.

**Interjection: Sledgehammer.**

**Mr Gravelle:** A sledgehammer, very much so. It seems to me that we will probably end up with a similar situation. The government is determined to put legislation through which in essence does not deal with the problem at hand in our community care access centres in the home care sector, which is that the demand for funding is absolutely—the evidence is overwhelmingly there: we're seeing the cutbacks affecting people in the most horrendous way. What is the government's response? "We'll put together a piece of legislation that will actually muzzle the boards that are in place right now."

I could almost guarantee that when that legislation comes forward, we will see time allocation and we will see closure invoked once again.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** No public hearings.

**Mr Gravelle:** There will be no public hearings at all, and that is disgraceful. This is unbelievable. Once again we're seeing this kind of behaviour, and I suspect we'll see it again. As we move closer to the end of this session and as the leadership race heats up, while we're watching the jockeying among the leadership candidates, it would be very nice if at least one of those leadership candidates spoke up and said, "We think this is the wrong way to go." In fact, the Thunder Bay Chronicle-Journal today made new reference to the horrendous situation with the home care funding in certainly Thunder Bay and district, which is happening all across the province. It said, and I will quote them as accurately as I can, "Health Minister Clement should turn his attention to the home care crisis before he works so hard on succeeding Mr Harris as Premier."

That is an issue that we have been bringing up since June. The cuts first started happening at that time and we have been bringing it up since June. We've been dealing with the issue of the education crisis in this province and the chaos this government has brought forward almost

from the moment this government came into power. It continues to stun me that their approach is still confrontational, as opposed to actually trying to recognize the extraordinary value that teachers bring to the system. My memories of school—high school, and lower school, for that matter—are all based on these wonderful memories of teachers who influenced my life in a very special way and have continued to inspire me. I wish I had time to mention some of their names, which I have done before.

Instead we have a government that, rather than praising and thanking our teachers for working so hard—and yes, they want to prove it to the system as well—continues to take this confrontational attack mode in terms of that profession. It's a real tragedy. Indeed, it's a tragedy as well that we're once again being forced by the government by closure to push a piece of legislation forward that we think is a bad piece of legislation.

**The Deputy Speaker:** The time for debate has expired. Mrs Ecker has moved government notice of motion number 77.

All those in favour of the motion, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 10-minute bell.

*The division bells rang from 1750 to 1800.*

**The Deputy Speaker:** All those in favour of the motion will please stand one at a time and be recognized by the Clerk.

Beaubien, Marcel	Johns, Helen	Sampson, Rob
Chudleigh, Ted	Johnson, Bert	Snobelen, John
Clark, Brad	Kells, Morley	Spina, Joseph
Clement, Tony	Klees, Frank	Sterling, Norman W.
Coburn, Brian	Marland, Margaret	Stewart, R. Gary
Cunningham, Dianne	Martiniuk, Gerry	Stockwell, Chris
Dunlop, Garfield	Maves, Bart	Tilson, David
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Miller, Norm	Turnbull, David
Flaherty, Jim	Molinari, Tina R.	Wettlaufer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Murdoch, Bill	Witmer, Elizabeth
Gill, Raminder	Mushinski, Marilyn	Young, David
Hardeman, Ernie	Newman, Dan	

**The Deputy Speaker:** Those opposed to the motion will please stand one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Crozier, Bruce	Martin, Tony
Bisson, Gilles	Di Cocco, Caroline	McLeod, Lyn
Bradley, James J.	Dombrowsky, Leona	McMeekin, Ted
Churley, Marilyn	Gravelle, Michael	Parsons, Ernie
Colle, Mike	Kormos, Peter	Prue, Michael
Conway, Sean G.	Levac, David	Ruprecht, Tony
Cordiano, Joseph	Marchese, Rosario	Sergio, Mario

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 50; the nays are 21.

**The Deputy Speaker:** I declare the motion carried.

It is now after 6 of the clock. This House stands adjourned until 6:45 this evening.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*

#### Ayes

Arnott, Ted	Hastings, John	O'Toole, John
Baird, John R.	Hudak, Tim	Ouellette, Jerry J.
Barrett, Toby	Jackson, Cameron	Runciman, Robert W.

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Prue, Michael (ND)	Hastings-Frontenac-	Dombrowsky, Leona (L)
Bramalea-Gore-Malton-	Gill, Raminder (PC)	Lennox and Addington	
Springdale		Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée		
Brant	Levac, Dave (L)	Kingston and the Islands /	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC)
Cambridge	Martiniuk, Gerry (PC)		Minister of the Environment / ministre de l'Environnement
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC)
Don Valley East / -Est	Caplan, David (L)		Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Dufferin-Peel-	Solicitor General / solliciteur général		
Wellington-Grey	Tilson, David (PC)	London North Centre /	<b>Cunningham, Hon / L'hon Dianne</b> (PC)
Durham	O'Toole, John R. (PC)	London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Eglinton-Lawrence	Colle, Mike (L)		Wood, Bob (PC)
Elgin-Middlesex-London	Peters, Steve (L)	London West / -Ouest	Mazzilli, Frank (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC)	London-Fanshawe	<b>Tsubouchi, Hon / L'hon David H.</b> (PC)
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Essex	Crozier, Bruce (L)		
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	Minister of Labour / ministre du Travail		Minister of Correctional Services / ministre des Services correctionnels
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Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
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		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 19 November 2001

Lundi 19 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 19 November 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 19 novembre 2001

*The House met at 1845.*

## ORDERS OF THE DAY

### ONTARIANS WITH DISABILITIES ACT, 2001

### LOI DE 2001 SUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Resuming the debate adjourned on November 8, 2001, on the motion for second reading of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / *Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.*

**The Deputy Speaker (Mr David Christopherson):** It's my understanding that the member for Prince Edward-Hastings has time left on the clock.

**Mr Ernie Parsons (Prince Edward-Hastings):** Thank you, Mr Speaker. I appreciate the time to continue speaking to Bill 125. There has been a break since last Thursday, and that break has given me an opportunity to talk to even more of the disabled community and to hear their viewpoints on this.

It has been suggested to me that this bill is somewhat unique in that it does not have a name assigned to it. This government traditionally assigns very cute names to each of its bills. I would suggest that they've struggled, but that the community believes that Cam's Scam would be an appropriate title for this bill.

I would like to go through and review some of the statements made—

**Hon Dan Newman (Minister of Northern Development and Mines):** On a point of order, Mr Speaker: I would ask you to review what the member opposite just said. It was very unparliamentary.

**The Deputy Speaker:** I will review it. I would ask the member if he would refrain while I review that, but if you would refrain from that language. As you can see, it's going to cause provocation. I'd ask you to consider that as you give the rest of your speech.

**Mr Parsons:** Thank you, Speaker. It has given the opportunity, though, to review a number of statements that have been made over the past few months, and I would like to share some of them with the House.

In question period on November 7, the minister made the statement, "I want to reassure the House that the 11 principles were followed very carefully in the drafting of this legislation." I would ask the minister to review this legislation, because indeed we can find at best one of them that was followed. There may be a misunderstanding on the part of the government, but there does not seem to be an apparent adherence to the 11 principles.

The statement was made that, "It gives full force and effect, something never before done in Canada, to the disabilities community so they have a voice and a say as we develop the regulations on an access council for Ontario." The bill itself doesn't require any input whatsoever from the disability community before legislation is drafted, and certainly nothing that is enforceable.

The statement was made on November 7 that, "It includes all sectors of our economy, something that was very important," and we agree it is extremely important that every sector be included. However, this bill imposes no requirements whatsoever on the private sector.

The question was asked, "Minister, what was the reaction within the disabled community to the tabling of this legislation?" The answer was, "It was very evident on Monday, with the presence of about 30 different organizations representing disability stakeholders in our province. Duncan Read, the past president of the Ontario March of Dimes, indicated that it was a historic moment." The inference is there—in fact, the statement is there—that the disabled community support this bill. Of the 30 different groups that form the Ontarians with Disabilities Act Committee, one has indicated support for the bill. Doing some very quick and rough math, that means that 29, or about 97%, of the disability groups have not supported it.

The minister referred to the report prepared by the Liberal caucus. Steve Peters toured the province, consulting with those with disabilities. The minister has had this for quite some time and has referred to it very positively, and we appreciate that. However, the real question is, given the input from all of the persons in Ontario, does this act improve their life? Does this act remove barriers?

If we look at some of these, the first statement says, "There is a severe limit of affordable, accessible rental accommodations throughout the province." Does this tabled Bill 125 help that situation? Not a bit.

**1850**

"The lack of automatic doors is a problem." Does this bill help that? No.

"The interior design of accommodations are insufficient for the needs of many in the community." Does the ODA apply to private buildings? No; it doesn't help.

"The cost of transportation is a concern." This bill provides for no money whatsoever to implement or to enforce the bill. Will it address the cost of transportation for those with disabilities? Not at all.

"There is a severe lack of assistive devices and adaptive equipment to make learning easier for the disabled." Does this help? No.

I had the opportunity on the weekend to have contact with an individual in a wheelchair in my community who resides on the fourth floor of a seniors' building. Because of preventive maintenance, the elevator is going to be shut down for one entire week, 24 hours a day, for an entire week, the week before Christmas. Does this bill cause people to think or do something that would enable her to be able to get in and out of her apartment? No. She is going to be held hostage in her apartment, and I would suggest that that happens all across the province. Will this bill help? Not at all.

"Printed materials are difficult to obtain in alternate formats such as Braille." It is extremely difficult just to access provincial documents for citizens in Ontario who are blind. They do not have access to the documents in Braille form.

"Current voice mail systems are barriers to the hard of hearing and the deaf." This does not help, and I would suggest they are actually barriers to everyone.

"Television programs oftentimes do not have closed captioning." We take for granted, those who are not disabled, that we can turn on the TV and watch and get the news and understand what the issues are. Click your television sets to the button that allows you to have closed captioning, and see how many shows do not. Does this bill assist to provide that for the disabled community? Not one little bit.

"Pay phones are rarely accessible for those in wheelchairs and are difficult to use for those with poor motor skills." This bill doesn't help that.

"Many are faced with attitudinal barriers and outright discrimination while attempting to find housing." This does absolutely nothing.

We can go on and on and on through this bill.

"There is little protection for the rights of persons using assistive animals."

This is a good document because it is what the people who have disabilities have stated. The minister, when he took this role on nine months ago, started touring the province and consulting with people to find out what they needed to remove the barriers. That startles me and saddens me in a way, because this government promised in 1995 to consult and to produce a bill. That means, until nine months ago, there has been nothing done. There has been no consultation; there has been no dialogue. Now we're seeing a rush. We saw that the 11 principles that were unanimously endorsed are not all being met. There was also a unanimous resolution which would require that this bill be in effect by November 23. Not intro-

duced, but in effect by November 23. Clearly, that principle is not going to be followed. We're going to see some rushed consultation.

Interestingly, this bill doesn't apply to municipalities that are smaller than 10,000. We now have some sense of where the government's going to hold their public consultation meetings. They're in cities like Toronto, Ottawa, Windsor—all cities over 10,000. The people who reside in smaller municipalities won't even have the right to get into city hall, and this government doesn't want to go and hear their opinions.

If there was ever a need to do more extensive public consultation, it was with the disabled community, who have insurmountable barriers at times to come to us. We need to go to them, and that's not happening.

This bill does virtually nothing to address the barriers identified by the disabled community. These are not things that I've said; these are not things the Liberal Party has said. These are things said by full citizens of this province who realize they don't really have the right to work in this province, and will not under the new legislation. They don't have the right to accessible housing, and won't under this.

They have been misled, perhaps unintentionally, but they certainly were under the perception that the Ontarians with Disabilities Act would provide the full range of people with disabilities the opportunity to be active participants in our society. This bill won't do that. The time is not right to go and do consultations and promise to make amendments in the coming years. For every one of those citizens, a day is a year—a day trapped in their house, a day without employment. They have skills that could meaningfully contribute to our province, and yet there have been no barriers removed for them in getting a job.

The right thing to do with this bill is the same as was done with the last ODA bill introduced by this government: withdraw it. This is more of a barrier than it is a help. This will prevent any new meaningful bill from coming forward. This bill needs to be withdrawn and done right, and done in a manner that reflects the input from the community and reflects the needs of each and every one of our citizens.

**The Deputy Speaker:** Members now have up to two minutes for questions or comments.

**Mr Tony Martin (Sault Ste Marie):** I want to commend the member for Prince Edward-Hastings for a very excellent précis of this bill, for a very excellent analysis of what's in it, what's not in it and, ultimately, some recommendations that this Legislature ought to take very seriously. The member went through the bill a week ago, when the House rose for constituency week, in a very detailed fashion and brought up some very excellent arguments in terms of what he saw as shortcomings of the bill and recommendations that he would make. I would suggest that anybody who wanted to get a good look at what it is we on this side of the House will be concerned about as far as this bill is concerned might

want to look at Hansard of last Thursday and see for themselves.

I think he certainly has raised a lot of the issues that you'll hear raised by a lot of us in the House over the next few days as this bill is being debated, questions such as, does it apply to the private sector? He has obviously said no, and others out there have said the same thing. Are there resources to support any implementation, any fast-tracking of this bill for the people out there today depending on this to facilitate them participating more fully in their community? The answer is no, there are no resources to go along with this bill, no new money targeted to help municipalities, communities or even the private sector, if they choose on their own to move on some of these issues.

Does it help people right now in their everyday lives? Will life be different for people the day after this bill becomes law in this province? He says no, and I suggest that if you talk to many of the people in the disability community out there, they'll say to you the very same thing. Does it live up to the 11 principles of the resolution passed in this House? The answer, again, is no.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I'd like to thank the honourable member for his contribution. I listened, as I did when he began, and to his completed comments this evening. I just want to remind him that he brought to the attention of the House his own Liberal Party's consultation tour filled with an identification of problems, but even the Liberal Party makes no promise, no commitment—no financial commitment whatsoever—to the 1.5 million disabled persons in our province. It just says that all of this would be a nice starting point for discussions regarding any components of any future legislation.

What we have before us in the House is a bill which, by its own construct, goes further than any other piece of legislation in Canada. The member opposite knows that. But we have yet to hear one single commitment. The member opposite was clear that he has problems with telecommunications, with closed captioning, with the access to payphones and so on. I just want to remind the member opposite that those are federal government issues and that the federal government is absolutely silent on its support for the disabled community. The federal Liberal government is doing nothing in this country. We'll be the first province in Canada to implement any legislation. If we're going to look at an ADA model, the reason the federal government stepped in is because no state in the US would come forward; but in fact, we're coming forward.

He mentions transportation. Private sector transit services and all transit systems in this province will mandatorily have to file and comply with their accessibility plans. The province has put up \$3 billion, the municipalities have put up \$3 billion, but again, the federal Liberal government has run for cover. The money for transportation has been put on the table by our Minister of Transportation, Brad Clark, and nothing has come forward.

Finally, attack me, attack this bill, but I thought it was deplorable the way you attacked the Ontario March of

Dimes, those volunteers and individuals who contributed their efforts. You unashamedly attacked these people in this House and you should withdraw that.

1900

**Mr Mario Sergio (York West):** I congratulate my colleague the member from Prince Edward-Hastings for a wonderful rendition, if you will, on yet another bill, yet another attempt by the government to solve the problem we are having in our province when it comes to Ontarians with disabilities. You would think that after all the years they promised they would be bringing something really, really useful to Ontarians with disabilities, they would have gotten it right and said, "We have been out there, we have been listening and here it is. Yes, indeed, it's acceptable and it's going to do wonderful things for people with disabilities." They still didn't get it.

We will be approaching, perhaps, a vote on second reading. Will they be listening when this goes to committee? I hope so because all the people that we have spoken to say this is not addressing the needs of Ontarians with disabilities.

What is the government telling us today? They have a bill in front of the House. As they have done many, many times, they will bring in this convoluted bill, will make some minor changes, nothing will happen and then they will bring in another bill. We've been waiting for this for five or six years. I think it's about time the government gets serious in dealing with Ontarians with disabilities and brings in a bill that meets the requirements and needs of Ontarians with disabilities.

I hope this will move to the committee level, that they will be hearing from all sides and, indeed, that this will come back to the House in a format that will be acceptable and will address the needs of Ontarians with disabilities.

**Hon Brad Clark (Minister of Transportation):** It would appear that the opposition party is now rehashing old arguments from years gone by. I have to correct the record for the member across the way who just stated, not a few moments ago actually, that we didn't put any funding in place for transit so therefore we can't improve transit for the disabled. That's just categorically wrong. This government has come up with a plan of \$300 million a year over 10 years. This is the first time a government of Ontario has actually put money into transit over a long period of time—10 years. We're planning for a decade. The municipalities are there. They've put the same money in: \$300 million a year over that 10-year period.

So quite clearly they can plan for their capital re-investment, for their fleet renewal and to provide services for the disabled. What the municipalities are upset about is the fact that the federal Liberals are not there, that our Liberal friends in Ottawa are missing in action. They made promises about coming forward with funding for transit, but they haven't come forward. They're the only ones that are missing in this picture—the only ones.

If you sit back and look at all the transit authorities, all the municipalities with urban transit, all the different

groups that have come forward—the environmental groups, everyone—have praised the government for this incredible reinvestment in transit. The only group that has not pointed a finger at our Liberal friends in Ottawa are the Liberals here. That might be slightly conspicuous. You would expect them not to cry foul. They have yet to stand up to the federal Liberals on any matter. So for the member to state that we haven't come forward with any transit funding is categorically wrong. It's false. We have come forward. The only government that has not come forward with money for transit in the province of Ontario is the federal government.

**The Deputy Speaker:** The member for Prince Edward-Hastings has up to two minutes to respond.

**Mr Parsons:** I want to thank the members for Sault Ste Marie, Burlington, York West and Stoney Creek for their comments.

First of all, I would like to clarify that the March of Dimes has never been attacked by myself. I indicated they were the only group that supported this bill. It is not an attack on them when I indicate that they supported the bill.

The issue of transportation is a very real one. I can understand there may be big, new, shiny vehicles driving past Ontarians with disabilities. The issue is the absolute maximum that an Ontarian with disabilities receives: \$930 a month. Take that and pay rent, buy groceries and do the very basics of life. They do not have the money to pay the user fees to get on the bus. That's the problem. A nice, shiny bus driving past them does not provide transportation.

This is a partisan issue that really should not be. Every person in this House, every person in Ontario can identify a relative, a friend, a neighbour, who has a disability. Each and every one of us in this House, whether because of age or because of accident, runs the risk of having a disability. The disabled community is us. We are part of them as much as they are part of us. Each of us needs to stop and say, "Will this bill make life better for our friend, our neighbour, our relative, our co-worker?" That's the challenge we face; not the rhetoric, not to be able to go on the election trail next year and say, "We passed an ODA." The question we have to answer is, have we improved life for our fellow citizens?

In terms of priorities, do we want to give \$2-billion tax cuts to corporations that are doing well or do we want our neighbour to be able, with dignity, to travel to a place of employment or to travel to a business to shop? That's the real question, and this bill doesn't help our friends, our neighbours and our relatives.

**The Deputy Speaker:** The floor is now open for further debate. The Chair recognizes the member for Sault Ste Marie for the third party's leadoff debate.

**Mr Martin:** I appreciate the opportunity tonight to put some thoughts on the record where this very important piece of work is concerned. Before I do, I want to give credit to a few people who have helped me come to a fuller understanding of what is needed today in Ontario if we are going to meet the needs of 1.6 million disabled

citizens across this province. They have helped me, since I was appointed by our caucus as the critic for disabilities well over a year ago, to come to terms with the record of this government where people living with disabilities are concerned and what it is they really need in their everyday lives by way of support, regulation and initiative by this government if they're going to participate fully in their communities, as they all want to do; if they're going to be able to live up to the capacity we know they have, and they particularly know they have, to participate in meaningful and wholesome ways in their community, whether it's as a volunteer, whether it's within their family, whether it's simply looking after their own needs, or out there in the workaday world gainfully employed using the abilities they have at their disposal, that they are able to access and avail themselves of, if only we would get rid of some of the barriers they encounter each day as they try to do that.

There are some people in my own office who have been very helpful and who have worked very diligently to put together some of the notes that I will be using tonight in my comments as I critique this bill. They are people like Sarah Jordison, who works as a legislative assistant, and Lea Bothwell, in my Sault Ste Marie office, who has worked with me to pull together over the last year and a half some very committed, intelligent and hard-working individuals, most of them living with disabilities, many of them advocates for groups or individuals living with disabilities who have responded to this government as it time after time put out notices that an ODA was coming down the road, to suggest to them each time that if they were going to do something real and meaningful that it had to have some teeth in it—that was the term they used—and if the government really wanted to know what was required in that bill and what they meant by teeth, they would simply have to go and have a chat with them.

#### 1910

One of the people in Sault Ste Marie who worked very closely with Lea Bothwell in my office to make sure that we had these meetings, that they were well organized, that we got good input and that we were moving forward always in the development of ever new and more advanced thinking and contribution to the government if they were interested in it—and in fact we did on numerous occasions in our community, through the leadership of Lea and Dorothy McNaughton, who took over the chair of that group in very short order after it started off to work to make our community aware of what some of the challenges were, of what it was that the disabled were talking about when they spoke of the need for an Ontarians with Disabilities Act in our province and what in fact it should look like. They wrote letters to the government. They developed petitions in the community. At one point they undertook, I thought, a very ambitious initiative to gather barrier diaries from those disabled in our community who were interested in documenting for us those things that they ran into each day that many of us who don't live with obvious disabilities don't en-

counter or might not have any understanding about. Those barrier diaries were submitted to the government so that they might have those to look at, to assist them as they put together a bill that would help to remove some of those barriers.

They appeared before city council on a number of occasions. They sat down with reporters to make sure there were articles in our local newspaper on a regular basis to keep the public engaged and informed and, through that, to be informing the government, to be encouraging the government, to be challenging the government to bring forward a bill that dealt with the question of disabilities and getting rid of barriers and improving the lot and the life of those 1.6 million citizens in this province who are still waiting tonight, and will be over the next few weeks as we debate this bill, to see if in fact there is something in it that will be useful to them.

If this government is true to its word that it wants to do something that's going to be helpful, they will be willing to go back out to the community now that they've tabled the legislation to see what those who will be affected directly by it, who will have to live with it, support it, work with it very concretely and directly in the community, have to say about it and in fact be willing then, at the end of the day, to accept whatever amendment, however fulsome that amendment might be, however dramatic that amendment might be in terms of calling for change, that the government will be willing to live up to its word, live up to its commitment to do something useful here and actually listen to those people and put those amendments in so that we in this place, all of us—Liberals, New Democrats and Conservatives—can support this legislation, because I know that the longer we wait, the longer we put this off, the longer people have to wait. However, I say that knowing that if we put something forward now that doesn't have in it the legs and the teeth, the power and the ability and the legislative authority to actually make something happen, we deceive a whole group of people out there who have been waiting too long for us to actually do that.

For this government to in any way surreptitiously bring this bill forward and present it as in fact doing that I think would be to set us all up for the kind of cynicism that we often see in our province and in our country these days where politicians and government are concerned, and the knack we have of saying one thing and then in fact, when we turn around, doing something else completely different and not hitting the mark when there are people out there who are depending on us, counting on us, waiting for us to hit the mark.

I mention those people because I think it's important that the minister know that those of us on this side of the House have also done our homework, that we have been out there talking with people, that we've been listening to people and that we're genuinely and seriously interested in some real dialogue with him about this bill if he in fact wants to make it the kind of legislation that will do the job that he, in his announcement, suggests it has the potential to do.

Alas, though, we're wary and worried that maybe—because we've heard from some people now who have actually done an analysis of the bill and who tell us that there is a lot of work required if it's actually going to be a bill that will be meaningful—this government is responding to or working out of, I guess a word you might use is, an "ethos" that was presented when we saw a leaked document a couple of years ago that suggested that, really, the people of Ontario overall, the millions of people who call Ontario home, not the 1.6 million living with disabilities but the others, aren't that interested or concerned about this. They don't know what it is that people with disabilities are talking about when they call for an Ontarians with Disabilities Act, and in fact it's not something that's high on their radar screen nor do they have a whole lot of interest in it, so if the government simply puts out a piece of legislation that has a really good communications strategy that goes with it, that will be sufficient.

When we look at what's happened over the last couple of weeks in this place as the government unveiled this piece of legislation, you have to ask yourself, when you consider all of the pieces, whether in fact that is what has happened. Any of us who went to the briefings and the press conference know that the government did a good job of putting this legislation out in various formats so that people could access it and get a sense of what was in it—lots of good material, lots of communication hoopla, lots of information and binders etc going out to folks, so there was with this piece of legislation a very excellent communications strategy put in place.

As a matter of fact, Mr Speaker, I might just for a minute explain to you that strategy so that you perhaps might make up your mind, as well as people out there listening, what the government was in fact trying to do with that whole process. The minister went around the province, to give him credit, and talked to folks about the possibility of an ODA act. When he was out there, he held up the possibility of the most wide-ranging and progressive and inclusive and authoritative piece of legislation that one could imagine, living up to the 11 principles we all debated here in a private member's hour about a year ago, that we passed unanimously and we all agreed should be in any Ontarians with Disabilities Act.

The minister suggested in his travels that those principles would be lived up to. He wrote letters back to people like myself who wrote to him encouraging him to pass an ODA with authority and teeth that in fact he was going to do that. He was out there presenting the message that he was actually going to do the right thing, that he was going to table a bill that had in it all those things that groups out there who have been waiting for such a long time were calling for, that would force organizations and groups and institutions to make changes and to make them immediately and to make them effective and that he was willing to put the resources in place to support those changes.

When he talked to some of the disabled community and explained to them that this was what was coming

down and that he was going to set up some advisory councils that would include some of them, and he invited them to Queen's Park for lunch and the press conference that he held, it shouldn't surprise any of us that there were a lot of people willing to attend, because they thought, not having seen the legislation, not having had a chance to actually analyze it and take a real good look at it, that they were getting the whole thing; that in this piece of legislation the minister was going to table that afternoon were all the things they knew needed to be in place if we were going to live up to the 11 principles that we all debated and passed and supported and talked about and worked with over the last couple of years out there across Ontario. So they were excited, and some of them even said some very positive things about it and said they would support this bill. But, alas, when some of us and some of the groups and individuals out there had the time and took the time to actually read through the bill, it rang hollow.

1920

Where this minister, in announcing this bill, said that it would put the disabled in this community, all 1.6 million of them, in the driver's seat, we're here today to suggest to you that in fact what the minister is doing is taking all these people for a ride on a bus that's not going very far in trying to support or put in place those things that are necessary if those people are going to participate in the way that they know they have the capacity to or want to in this community.

We know that if this government were really serious about issues of accessibility—and this bill, which I'll talk about in a short few minutes, is very much about making buildings accessible and putting in place plans or encouraging, sort of using moral suasion to get municipalities and other organizations to put in place programs that would allow for some of the mobility challenges to be dealt with—if they wanted to do that, they didn't need an Ontarians with Disabilities Act. They simply needed to tell people out there who are getting money from this government to build new buildings, or could have been doing it over the last five or six years, as they spent capital dollars on infrastructure projects, to make sure that they are all accessible. The guidelines are out there. They have been developed over a number of years. With some of the announcements that we're going to hear in the next month or two, as this government begins to roll out some of the SuperBuild money that they've got stashed away and will spend in, I suggest to you, a very politically helpful way, none of that money would be accessible to communities or organizations unless the buildings they are putting up that are open to the public are accessible.

They could do that. They could do that right now. They could make that announcement next week or the week after when they announce these SuperBuild projects and use this bill for the purposes that we all thought it was intended for and do the broader support and regulation and legislation that's required in this province if we're going to make it a province that is friendly and

supportive and inclusive of everybody who calls Ontario home.

I just want to share with you a letter that was sent to the minister shortly after the bill was introduced last week, one that I dare say he will share with us. It was written by the Canadian Hard of Hearing Association. He may or may not have read it. It says:

"Dear Minister:

"Re: A Shameful Ontarians with Disabilities Act

"The Canadian Hard of Hearing Association Ontario Chapter and branches across the province are shocked and appalled you have brought forth a long-winded bill that lacks substance.

"The bill you have introduced will not remove or prevent barriers for people with disabilities. You have not included timelines to accomplish anything or enforcement mechanisms. And downloading responsibility to local governments will result in ensuring unequal access and unequal opportunities for people with disabilities and their families throughout the province.

"Although we do support the increase in parking fines for illegal parking in spaces reserved for people with disabilities, the fact remains many people with disabilities cannot afford cars or retrofitting cars for access. Minister, many people with disabilities do not even have access to public transportation due to barriers, including cost. Poverty is a serious problem confronting people with disabilities and their families.

"People with disabilities need access to jobs. People with disabilities need access to education. People with disabilities need access to our political institutions.

"Minister, you have implied that there is strong support for this bill within the disability committee. This is just not so.

"Many organizations, including the Canadian Hard of Hearing Association Ontario Chapter, and many private citizens do not support the bill as it now stands. Significant amendments must be made.

"It is offensive that you have excluded many, many people with disabilities from the legislative process. With only four days' notice on the reading of the first bill and this event only for your invited guests, coupled with no notice for the second reading of the bill, is a form of discrimination.

"Inclusion is what the Ontarians with Disabilities Act is all about. It appears that you are having difficulty grasping this fact.

"Please pause and re-examine the 'human side' of the Ontarians with Disabilities Act. Take time to reflect on how your actions, your party's actions, will diminish the life experience of people with disabilities and their families by bringing forth an ineffective bill.

"Please 'practise' inclusion and take the time to hold open, public legislative committee hearings throughout the province of Ontario, meetings that are accessible to people with disabilities.

"We all have an ethical responsibility to work toward inclusion. As an elected public official, please take the

first step and role model inclusion by including people with disabilities in the legislative process.”

And this is signed by Sandy Russill, vice-president of the Canadian Hard of Hearing Association of Ontario. I could—but I’m not going to tonight—read a number of other letters that have been sent to many of us who are involved in the debate at this time around this legislation.

These people aren’t saying that tabling this bill at this time is a bad thing; what they’re saying is that there’s not enough in this bill right now to make it usable or helpful to them. They’re calling on the government to be ready to accept serious and significant amendments. They’re calling on this government, and we’re supporting them in that call. We’re not completely dissing this bill either. We’re willing to work with the government if the government is willing to take the time necessary to get it right.

We’re saying to the government that they need to take this bill out across the province; that they need to take the time necessary, not try to ram it through before Christmas, not do hearings that are quickly put together and rushed into existence simply because there’s this artificial deadline of, say, December 17 or 18, that this government wants to get this bill through; that they take the time during the intersession—January, February, March of next year—to go out there to communities, big and small, across this province and provide the resources necessary to make sure that the hearings we will support them in having out there are accessible, are well advertised and that the resources are in place to make sure that all people with every sort of disability are able to come forward to say their piece and ask their questions, make their suggestions and their recommendations and feel that they’ve been heard so that this government, then, could come back to this Legislature and with us look at and accept amendments that will make this bill the kind of bill that we hoped it would be when it was tabled just last week in this place.

I think you have to understand why it is that so many of the disabled across this province might be a little suspicious where this government is concerned and a bit more than disappointed that what we got a week or so ago was so weak and so minimal, when you consider what was in place in this province in 1995 when we left government, particularly by way of a really strong and effective and workable Employment Equity Act that was targeted directly and clearly at people in this province with disabilities, to try and get them into the workforce, to recognize the training and the education and the skill and the ability that was there that we as a province were missing out on because we weren’t able to nor had we the political will to make sure that those people were able to fully use those skills out there in the community and in the workplace. That Employment Equity Act was about them, was about including them, was about making sure that they had their place, that institutions and employers and organizations out there who wanted to employ them because they recognized the very valuable contribution that they could make had the resources necessary and that the legislation was in place to support them in that effort.

But you’ll remember very clearly that this government ran in that election in 1995 by putting that piece of legislation up as this bugaboo that was somehow a counter-discrimination against another group of people, which in fact flew in the face of all reality. So when they got elected, they did what they said they were going to do and they threw out the Employment Equity Act, and with it they threw away the lives of literally thousands of citizens in this province who held out just a little hope, who saw a light at the end of the tunnel and who were actually beginning to get excited and get prepared to participate.

### 1930

I know some people in my own circle of friends who actually got jobs during that period of time because there were being put in place employment equity programs within workplaces—particularly government workplaces—to make sure that workplace reflected the reality of the community out there where percentages of people with disabilities were concerned. But that was thrown out, so we should not be surprised that a whole lot of people out there were waiting very anxiously to see what this government was in fact going to do replace that; or do something else; or respond in some other positive and constructive way to the very real challenges being faced by this group of people in our province. Our government set up a commission of people from various of the target groups where employment equity is concerned to make sure that those workplaces that were identified as needing to put in place plans were in fact doing that, carrying them out according to the letter of the law and hitting the targets and the timelines that were laid out as well.

Mr Speaker, you’ll remember the very long, difficult and important debate that took place for months and months before we actually introduced some of that legislation and put in place that commission so that we might get it right and so that it might be helpful to the groups, particularly the disabled, in this province who are counting on, depending on and looking to government for leadership in this area, so that we might afford them the opportunity to participate in the way that we, who see ourselves as not disabled—even though sometimes you wonder who the disabled are—those of us who aren’t challenged in the same way, take for granted so often.

It wasn’t long after doing away with the Employment Equity Act and closing down the commission that was set up to support it that we then began to see this government, in its attempt to reduce the effectiveness of government and to shrink government in the province, lay off literally thousands and thousands of people—a couple of thousand in my own community alone.

It’s interesting, but a closer analysis of that piece of business by the government will indicate that literally hundreds of disabled people who had been hired by different government agencies, boards, commissions and institutions as employment equity plans began to kick into place, in fact now began to lose their jobs; because, as you know, when people are laid off, if there’s no protection—without the legislation that protected people in

situations where there was an attempt to employ somebody who otherwise would have a difficult time getting their foot in the door—it's last in, first out. So a whole lot of disabled citizens—very talented, capable disabled citizens—who had been hired in 1993, 1994 and 1995 across this province to work for government and agencies indirectly connected with government and ultimately in the private sector out there, which began to have to live up to some of the requirements of that legislation as well, began to lose their jobs.

I refer to a gentleman in my own community who came to me soon after this government got elected to tell me that he had gotten a job locally in a government office and was really enjoying it. But now, because of the doing away with the Employment Equity Act and the laying off of literally thousands of civil servants across the province, he was about to lose his job. Where a tremendous effort was made to make sure that this gentleman, who was very talented and very anxious and willing to work, could be accommodated in this workplace, he was no longer, according to the rules set out by this government, going to be able to do that any more.

So, to this day, because he lost his job, this gentleman has seen his life become more and more difficult, the challenges seemingly bigger and bigger in front of him as he dealt with the deterioration of his health, which I believe and suggest to you is not indirectly connected to the fact that he is no longer gainfully employed out there. He struggles to the point now where—this gentleman is in a wheelchair and is quite challenged with a disability—this government has seen fit, in their wisdom, to even take away his home care. That's how far we've come since 1995 in terms of how we deal with the disabled in this province.

*Interjections.*

**The Deputy Speaker:** Would the member please take his seat.

I would bring to the attention of members that there are a number of conversations going on on the government benches. However, one of the offenders happens to be the member from Sault Ste Marie's own chief whip, so I would ask him to also please come to order.

If there are any further discussions, either save them for later or go outside—with the exception of the Minister of Consumer and Business Services, who may continue to quietly show the picture of his grandchildren to colleagues. Other than that, all discussions will cease, or please move outside the chamber.

The member for Sault Ste Marie may continue. My apologies for the interruption.

**Mr Martin:** Thank you very much, Mr Speaker. I appreciate your challenging the members across the way to perhaps participate or to listen in some small way to some of the comments I'm making, because there are 1.6 million disabled citizens out there hoping that you're listening to what I have to say. In many ways, I feel that I'm speaking on their behalf here, because they have no voice in this place otherwise.

As I was saying, this government laid off literally thousands of civil servants, many of them newly hired

disabled individuals. They then summarily wiped out the voc rehab program that governments of different stripes had put in place and enhanced over the years to support people with disabilities in getting the training that they needed and give them support in terms of accommodation in actual workplaces once they were finished the training. They introduced, with great fanfare in this place—Mr Speaker, at one point you'll remember an Ontarians with disabilities support program, which was supposed to be an enhancement of supports that were in place by government to help disabled individuals either live with some dignity or quality of life or support them by being more flexible in terms of moving in and out of the workplace. But, alas, we know, those of us who have anything to do with people living with disabilities in this province, that that in fact isn't the way it turned out. This, again, was a vehicle for this government to reduce the contribution that government makes to the lives of some very in-need individuals out there, and in fact became a bit of a weapon against the disabled.

Just to use one little example, in my experience anyway, a person decided to go off and get into a workplace situation and leave the confidence of a disability pension behind for a time, understanding, because the government had told him that this was the way it was going to be, that it would be easy for him to just come back and get back on the disability pension again if the work experience didn't work out. Alas, what we found out was that a lot of people did take advantage of that, but in coming back to apply, the rules had changed so significantly and the bar had been raised so much higher that in fact where they qualified before they left, they found that they didn't qualify any more. So they were in a real conundrum and found themselves in worse shape, worse off, than when they started out in the first place.

**1940**

This is the kind of thing that makes people looking at this government and looking at this piece of legislation cynical and not trusting and wanting to see the fine print and the regulations before they'll support what this government says will be in their best interests, because they've had too much experience otherwise over the last five or six years in this province where people with disabilities are concerned. I've just listed a few. I'm sure you could bring people in here by the truckload who could talk to you over and over again about other things that have been put in place to make the lives of those who are challenged with disabilities difficult in this province.

The Social Benefits Tribunal, for example, is supposed to be there to help people who are trying to access the Ontarians with disabilities support program work their way through the process and get what they need. I'm told the government is now acting as if they were a private sector insurance company. The first time you apply—it seems, anyway—you automatically get turned down, so you have to appeal. I'm told by those who work directly with people who are in the process of trying to appeal some of those rulings that people are dying before

they get to their hearings. They are being told by the folks who make those decisions that they're not disabled enough yet, and if they just wait a little longer and get a little bit more disabled, then maybe they'll qualify. But in the meantime, I'm told by people working with these folks, some of these people are actually passing away before they get to their appeal and get the kind of support they need to get themselves the assistance that would in fact allow them to get the medications and assistive devices that are necessary so that they don't end up dying.

For example, we have people—and this comes from the Algoma Community Legal Clinic—who applied for disability in November 2000. Their appeal began because the government has put in place in the legislation that if they are turned down and they appeal, hearings will be scheduled within 60 days. Well, in fact, they're living up to that part of it. The only thing is, they're scheduling those hearings a year or two down the road. So where somebody applies in November 2000, the appeal, once they get the response back, begins in March and April or May 2001, and their hearing actually takes place in June 2002. That's almost two years. That's the kind of thing that people with disabilities are having to struggle with day in and day out across this province, not to speak of the fact that they haven't had an increase in their pension since we were government.

This government has deemed it not necessary to provide people who through no fault of their own are dependent on the Ontarians with disabilities support program pension any recognition of the fact that the cost of living has been rising, some suggest 9% to 12%, in that range, over the last five or six years. So they've lost their ability to participate in terms of purchasing power over that period of time. It's just another little example of the kinds of things that are out there by way of obstacles, by way of barriers, by way of challenges to disabled people across this province, and why it is they were so keenly anxious and looking forward to this government actually tabling a bill that would enshrine in legislation some rights that they would have to accessibility, to support, to participation in the communities in which they live.

To get back to the bill specifically and to put a few thoughts on the record as to our caucus's position on a number of the things that are in the bill, the hallmark of this bill seems to be the establishment of an advisory committee on disabilities, something that existed for years before this government came into office, something that they threw out, that they disbanded. Upon taking office, they quickly terminated the Ontario Advisory Council on Disability Issues. They did that in October 1995. They were hardly in office six months when they got rid of the Ontario Advisory Council on Disability Issues, and now they suggest in this bill, "We're going to reintroduce that, and we're to be applauded for that"? That's fine. We'll say, "Yes, let's have that. Let's do that." Five or six years later, to have woken up to the fact that we need it, you know, let's give them credit and let's

do it. Now the minister wants us to applaud the re-establishment of an advisory committee that his government never should have terminated to begin with.

The bill promises guidelines that could have been written six years ago when the government first promised an ODA, guidelines that may never even make it into the regulations. Six years of broken promises from this government, and there are still no guarantees life will be any different five years from now for 1.6 million citizens of this province.

This bill calls for accessibility plans with no timelines or money to guarantee those plans will ever be worth the paper they're written on. This bill doesn't break down any of the existing barriers. It has no primacy over the building code or any other important legislation where this is concerned. It doesn't even speak to the retrofitting of old buildings. Aside from mobility disabilities, this bill virtually ignores all other people who live with a disability.

I met this past week, during constituency week, with the local Sault Ste Marie and Algoma Ontarians with Disabilities Act Committee and they brought this issue up. They saw through this bill and pointed out to me that I had to go back into the Legislature and tell them that you can't ignore all of the other people who live in this province with disabilities simply to focus on the mobility disability issues, even though they are important and need to be addressed as well.

It provides no enforcement strategy. The government is asking municipalities, school boards, hospitals, colleges, universities and transit commissions to create accessibility plans. But exactly how does the government expect them to implement those plans? They are so strapped for cash they're having serious problems providing current services. Mr Speaker, you know all about the downloading that has happened over the last five or six years and the fact that municipalities are having a difficult time just providing some of the basic services that are required in municipalities, never mind asking them now, although they should, to provide for some of these other things that will of course be included in these plans that they'll need some resources to help put in place. Municipalities are already scrambling to finance programs and are having to cut services. Where are they going to get the money to implement their access plans? Without provincial funding, the risk is that they'll simply report the barriers they want to tear down but can't.

This bill lets the private sector off the hook. Let me tell you, people don't get their groceries at Queen's Park. They buy them from the private sector. They don't get their hair cut at city hall. They go to the private sector. They don't go to a movie in a hospital. They go to the private sector. All of those goods and services remain off limits to people with disabilities, because this government refused to put a single mandatory requirement for the private sector in this legislation.

Besides having an advisory committee, accessibility plan and revised procurement requirements, there is no clear mandatory action required of municipalities either.

So if they don't feel like it or the political climate isn't right or they cry poor or whatever, there's no mandatory action required there.

Advisory committees have no power to ensure compliance and enforcement. Their power will lie in their ability to lobby hard, which they're already getting tired of doing. This bill does nothing to improve job access for people with disabilities. Again, one of the first things this government did when it came into office was to scrap the NDP's employment equity legislation that gave people with disabilities an actual shot at fulfilling their employment potential. This bill does nothing to improve job access for people with disabilities. This legislation doesn't even come close to rebuilding policies that this government cut. The risk is that for the average disabled Ontarian nothing will change. Enforcement remains complaint-driven, and the only body with power to force change is the already overextended Human Rights Commission. We all know of the waiting list there. How are they going to deal with this?

1950

The bill changes the Municipal Act to allow municipalities to require new businesses to be accessible in order to get their business licence, but emphasis here is on the word "allow." There's no guarantee, there's no mandatory requirement and it doesn't speak to existing barriers in established businesses.

Though it reforms the social housing act to ensure any future social housing is fully accessible, when was the last time this government built any social housing? From 1990-95, every other day there was a new shovel going in the ground in my community building social housing, because we knew that we needed to have affordable housing for people. In every one of those units, there were dedicated units for the disabled, units that had wider doors, that had lower shelves, that had all kinds of things that made it possible for disabled people to live a life of some comfort and accessibility. This government hasn't even built a unit of social housing, never mind putting in units within that for the disabled.

After all these insults, the minister likes to claim that disability groups love this bill. I'm sure there are people with disabilities who are relieved that the government is willing to take even this small baby step. When I was back in Sault Ste Marie during constituency week at the meeting that we had with the Ontarians with Disabilities Act Committee, there were people who said, "Tony, please, it may not be the whole loaf but it's a slice. Don't kill it. Let's see if we can work with it, let's see if we can't amend it, improve it, because at least it's something." Up to now we've had nothing but promises, for six years promises to 1.6 million citizens living in this province challenged with disabilities.

The minister shipped in disability groups, fed them lunch and made sure they surrounded him at a press conference he held before he released the bill. He was too cowardly to go to the media with the actual bill in hand, to actually give the bill to some of us so that we might ask some pointed and real questions. Yes, people with

disabilities were excited about this bill. They thought this minister was going to do something meaningful for them, but now that they've read the fine print, the minister's cheering section is shrinking with each day that goes by. If the minister is so sure the disability community loves this bill, why isn't he giving them plenty of notice before ramming it through for second reading? Why isn't he announcing broad public hearings throughout Ontario to let people have their say now that they've actually read the bill? Why isn't he willing to wait and take the time—January, February, March—when we can all get our heads around this and prepare and get groups out there prepared and go to not only four or five communities but go to maybe 12 or 15 communities—small communities, medium-sized communities, big communities—so that we can hear of the unique and individual challenges of people in those places and hear from them what it is that they think should be in this bill if it's actually going to be helpful?

The Ontarians with Disabilities Act Committee has read the fine print and says, "This bill does not do what Cam Jackson claims it will do." They've said that. Is this bill consistent with the 11 principles unanimously agreed to in this House? You heard the member for Prince Edward-Hastings a few minutes ago. He said no. I say no. The disabled community out there, the Ontarians with Disabilities Act Committee are saying, now that they've had a chance to read it, no, it doesn't.

Does this bill achieve the barrier-free society the government sets out in its own vision statement? No, it doesn't. The minister went out across the province over the last few months with this vision statement getting everybody cranked up and excited about the possibility of a bill that would actually do something, and then he tables this and he expects all of us to jump on board and whip it through quickly and make it the law of the day and disappoint so many people.

Is this the strong and effective law this Legislature unanimously promised on November 23, 1999? You remember the debate. You remember how enthused and excited people were as they talked about the possibilities, what needed to be in place, what those 11 principles should look like and why it was important that they be reflected in any legislation that would come forth, how after having seen the paltry offering by this government by way of its first ODA, we all in this place gathered and said, "We can't do that again. We can't repeat that disappointing piece of business in this place. If we're going to do it again, we've got to do it right." Some of us stood and spoke on behalf of individuals in our own communities and on behalf of groups and communities across this province to say that these are the 11 principles that needed to be in place.

No, it's not there. It's not reflected. It's not in this bill. To add insult to injury, this government isn't even making the debate on this bill accessible to the very people it claims to help. You remember the last week before we left this place. The bill was introduced and then, without any real notice to folks out there who re-

quire all kinds of time to prepare, to get themselves ready—transportation, visibility issues, all kinds of things—we had the bill kicked off for second reading only a day or two later.

The minister knows this bill is a dud. That's why he's ramming it through second reading without giving any notice to people with disabilities. That's why he's trying to skirt around the fact that he's not giving this bill the broad public hearing it so desperately needs. I guess he figures if he whips it through quickly, he won't have to deal with some of the amendments that so many people are working so feverishly right now out there to prepare and get in place and hope to have an opportunity to actually put on the table. If he gets it through quickly, they won't have an opportunity to in fact do that and then he won't have to deal with it.

This government had six years to make good on its promise to people with disabilities, and now it's shutting them out of the debate on this bill. We've waited six long years for Premier Mike Harris to make good on his May 24, 1995, promise to the ODA committee to bring in an Ontarians with Disabilities Act in his first term of office. It seems to me that a lot of things have happened since then, there's been a lot of water under the bridge. We're well into a second term and the Premier has announced that he's stepping down, he's moving on because, he claims, he's done everything that he came here to do. I say to the Premier, before you leave, you said you would introduce an Ontarians with Disabilities Act that would actually do something in this province, that would go a long way to meeting the needs of the people on the ODA committee in this province, what they've been talking to you about and what they've indicated to you they need. You could finish that piece of business before March 23 if you really wanted to. You could give us all the time we need, even if the House prorogues in December. You know and I know that there are ways of keeping bills alive so you can have the fulsome debate that's required and actually come back, then, in another session and make it the law, pass it.

All we get is a promise to write up guidelines that may or may not end up in the regulations. Year in and year out, this government broke its promise to bring in a strong and effective ODA, and people living with disabilities in Ontario suffered the consequences. They were shut out of movie theatres, buildings, public buses, special education and interpretive services. The list is endless. This bill doesn't guarantee any changes whatsoever in any of those realities for people out there—nothing.

How many SuperBuild projects were created without any plan to ensure they were barrier-free? How many? Maybe the minister will tell us when he gets up later today. How much of this government's Smart Growth program turned out to actually be stupid growth because it included no plan to tear down existing barriers or to prevent new ones? The ODA committee, along with so many others, have been working so hard to ensure strong, effective ODA legislation and, once again, this government has failed them.

## 2000

What do we have after six long years and all this great effort? A bill that fails to guarantee their lives will actually change significantly. That's what we have, and the government ought to be honest about that. This should be a joyous moment for the disability community. It is so sad that after all their hard work, this is what the government puts forward, this is what the government thinks is necessary and will in fact do the trick.

Last Thursday, you announced your vision for people with disabilities. It brought back memories of one of your cabinet documents, leaked last October, that suggested that the way to get around introducing an effective ODA was to have a strong communications strategy—hood-wink people, smoke and mirrors. You know all about that. You've been doing it for five or six years in many, many jurisdictions, Minister.

I call on the minister to begin extensive public hearings on this bill across the province. A few token cities just won't do it. These hearings must be fully accessible and people must be given plenty of notice to ensure access to transportation. It's time for this government to start listening to the people whose lives this bill could actually significantly improve. This bill just doesn't cut it, and you need to make the right changes. You need to be willing to work with those of us on this side who are willing to work with you to make sure that the necessary amendments are brought forward and actually adopted and accepted by this government so we have a bill that will live up to the expectations of so many people across this province who have been waiting too long.

I would like to recognize all the hard work and commitment of the many people in organizations dedicated to creating a barrier-free Ontario: the municipalities throughout Ontario that threw their support behind an ODA, the all-party agreement that forced the Harris government to enact this law by November 23, 2001—we're going to miss that, as well. But I say to the minister that if missing that means you're willing to take the time necessary to take this bill out across the province to a significant number of communities during the inter-session—January, February, March—so we might hear from people in a way that is accessible, comfortable and open to as many people and groups as possible, then in fact we won't worry about the November 23, 2001, deadline. We'll kind of ignore that. I think I can speak on behalf of my caucus when I say that. Having listened to the member from Prince Edward-Hastings a week ago Thursday and again tonight, I think the Liberals would probably be willing to agree with that as well.

We're not saying here tonight that we're going to deep-six this bill. I'm responding to a comment made by the chair of the Sault Ste Marie Ontarians with Disabilities Act Committee who said to me this past week when I met with her, "Tony, there are a couple of things in the bill that we don't want to lose." I know it's not the panacea that we all thought and expected it might be, but there are some things in there that she and they were willing to recognize were worth saving. I'm saying to

you and to her and to the others out there that we're willing to do that. We're willing to try to find whatever needle in this haystack lends itself to something positive, constructive and effective for the 1.6 million Ontarians with disabilities out there who are looking to us for leadership, who are looking to us to have the intestinal fortitude, the political strength of will to actually come together in this instance to serve a group of people who for too long have been left on the outside looking in, who have been on the sidelines waiting to be included, who know that they have something valuable to offer, who have gifts and abilities, who have trained themselves to the max. But because we can't together put in place regulations and legislation with some teeth, something that's mandatory, that has deadlines and timelines, we as a government, in a jurisdiction that has so much money, that's so rich when you compare it to other jurisdictions across the world, cannot resource those organizations and municipalities and institutions as they try to live up to the regulations that we together could put in place and which would be helpful and meaningful.

I think we owe it to them. I think we should do the right thing, and I think we should all work together. We should take this piece of legislation out across the province. We should do it when we have the time, in the intercession. We should be willing to make sure those hearings are accessible, that we notify people and give them good lead time so that they can organize their transportation, those devices and that assistance they need so they can participate and communicate effectively, so that we can hear from those people who are going to be affected so directly by this—or disappointed so directly by this if we don't—what they have to say, what they think needs to be added to this, because some of them actually see some small semblance of hope in this—that we build on that hope, that we build on the effort that has gone into getting us to this point so far and make sure, together, we actually put in place something that works.

The excellent grassroots work by the members of the Ontarians with Disabilities Act Committee throughout this province, who understood best that a barrier-free Ontario must be legislated because the voluntary approach simply wasn't working and will never work, needs to be honoured. We need to hear and to listen to their voice. We need to honour their experience. We need to be willing to say to them, "We have heard you. You have waited too long. Now is your time, and we're going to deliver."

**The Deputy Speaker:** Members now have up to two minutes for questions or comments.

**Hon Mr Jackson:** I'd like to acknowledge the member for Sault Ste Marie's comments in the House today. I was quite interested in all the individuals he named off: his secretary, his best friend in Sault Ste Marie, his office staff. He listed quite a few.

The person he didn't name was the one I was listening for: Gary Malkowski. Gary Malkowski was one of the very first persons with a disability elected to this

chamber. He performed extremely well, and he was on the governing side of the House. As I recall, he had—

*Interjection.*

**Hon Mr Jackson:** I have a copy of it in my hand here. It was Bill 168. The member opposite made reference to the fact that previously it has never been in legislation in this province that there would be an accessibility ministry or an access board, similar to the ADA. That is in this legislation and will occur in this province.

But I want to cast him back to when his party, the NDP, were in government. They had an accessibility advisory committee that met once a year, and you know what? They wouldn't let them read Bill 168, let alone comment on it. Ten years ago, Gary Malkowski put forward in legislation that every post-secondary institution shall prepare a plan to achieve equal access to education for people with disabilities in accordance with the regulations. It's something that's in our legislation, and you don't even have the class or the dignity to get up and admit that something that's in this bill came from Mr Malkowski, something you jammed for 10 years.

Let's put a financial package on this. Your NDP government increased the deficit of this province by \$50 billion, and what did you do for the disabled in this province during your five and a half or six years of government? Absolutely nothing. This government has increased support and commitments from \$5 billion to \$6 billion for persons with disabilities, a record we're extremely proud of. I look forward to something positive from the NDP about what they're going to do to support persons with disabilities in this province.

**2010**

**Ms Caroline Di Cocco (Sarnia-Lambton):** I must say that this bill has been a long time coming. On the other hand, the community of disabled across this province had to mount an incredible campaign over the period of the last six years to get the attention of this government after the government promised, before 1995, after Mike Harris promised that he would bring into this Legislature a new Ontarians with Disabilities Act.

What I find unconscionable is the way the government purported that this bill was in fact—prior to this bill being written, there was a verbal agreement made to the disabled community, yet when this bill is now being scrutinized, people like David Lepofsky suggest that, no, this is not what they had agreed to.

We do have this bill asking that public buildings become accessible, but—I'll say this again—most people go to grocery stores far more often than they go to a city hall. How many times does an individual go to city hall versus going to buy their groceries? You could have city hall accessible to the disabled, which is a good thing, but if grocery stores or banks or other private buildings don't have accessible entrances etc, then it really doesn't address what the community had asked for in the first place.

**Mr Gilles Bisson (Timmins-James Bay):** I want to congratulate our critic, Mr Martin, the member for Sault Ste Marie, for the work he has done over the years in this

Legislature on behalf of many people, but in particular on behalf of disabled people in Ontario.

I share his view that we should try in some way to work with the bill the government has brought forward. As he pointed out, there are parts in this bill that are supportable. There are some parts of this bill that quite frankly are a step in the right direction. But the contention that I have as a member, the same as the member for Sault Ste Marie, is that we need to go a lot further when it comes to providing services for people with disabilities. That's the reason why we're saying, allow this bill to survive past the prorogation of the House in December—we will give you support for that—so the bill can go to committee and we can hear from the municipal sector, the not-for-profit sector and the business sector about what can be done to make this bill better so that people with disabilities are able to live with dignity in Ontario.

I was a bit disappointed because the minister decided to try to attack the member on this particular issue by saying that the NDP government never did anything when it came to services for the disabled. I want to remind him that we're the government that said, "Any time a bus is bought in the province of Ontario, it must be fitted in a way that makes it accessible to people with disabilities." It was your government that cancelled that particular project when you stopped funding transit in Ontario.

In the Planning Act, we had said that you had to do a number of things in order to make municipalities more accessible by way of legislation—not by way of requiring that maybe somebody should do something voluntarily—things such as cutting curbs on street corners and making sure that public buildings are accessible. We had policy in place, such as employment equity, that said to people with disabilities, "You have a place within the workplace."

I'm proud of what we did as New Democrats, but I also want to work with this government to make this bill better, and that's why we have to allow this to go to committee.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I was disappointed that the member opposite didn't talk more about people with developmental disabilities. I was surprised he didn't mention the unprecedented investment made to help people with developmental disabilities in Ontario in the recent budget, where more than a \$197-million baseline increase was announced, which will be phased in over five years, in addition to \$67 million in capital funding that will provide a lot more support to help aging parents of people with developmental disabilities like the 78-year-old woman I met when we did the consultations on reforming this act who said that she just wanted some confidence that the care would be there for her son when he needed that support. When she and her husband, who fought for more than 50 years to make community living a reality in this province, who fought

to make a more inclusive education system, who fought to change attitudes—now, at a time when her and her husband's health is failing them, she wants the confidence that there will be a place for her son when she is no longer physically able to provide that care.

Increases have happened just about every year with special services at home funding, one of the most popular programs that the provincial government operates to support families in communities. A little bit of support can certainly go a long way to make that a reality.

Nobody talked about respite care. We're putting more money into respite care: \$17 million to both in-home and out-of-home respite care to help families deal with and cope with a child with a developmental disability, or day programming, or a foundations initiative to help young people at the age of 18 or 21 leaving the school system to have a place in the world for them after they leave school.

I know some will say these investments aren't enough, and I know those responsible people and legitimate critics will want to come to the table and say exactly how much more they would spend than we're spending and exactly how they would propose to pay for these important investments.

**Mr John Gerretsen (Kingston and the Islands):** So what you're saying is you don't have any meaningful money to put into it.

**The Deputy Speaker:** If the member for Kingston and the Islands is finished, I will recognize the member for Sault Ste Marie for up to two minutes to respond to the questions and comments he's heard here today.

**Mr Martin:** I want to thank the two ministers who responded, the member for Sarnia-Lambton and my colleague from Timmins-James Bay, and to say to the minister that he obviously wasn't listening or doesn't want to hear when we talk about some of the things that we as government did to enhance the opportunity for people with disabilities to participate in this province, which you summarily threw out almost holus-bolus not six months after you became government.

You mention Gary Malkowski. Well, you know—

**Hon Mr Jackson:** I had to.

**Mr Martin:** Yes, and the facilities that we put in place to make sure that Gary could participate fully in this place, the lights that still go on and off here in this Legislature whenever the bells ring to indicate to anybody with a hearing disability in this place, are a legacy to Gary Malkowski.

Gary used to be an MPP in this Legislature, for those who don't know. He's a member of the Ontario Association of Former Parliamentarians, who had their first meeting in this building last spring. Gary is deaf. To take part in meetings, he requires interpretive services. When he requested them for the former parliamentarians' meeting last spring, he got a letter from the Speaker's office informing him that they would not be providing the services he needed. He had to get them on his own.

When a former member of this Parliament can't even get the services he needs in this Legislature, what does

that say about access for the deaf? I think the attitude of this government, and when they were in opposition as a caucus, toward Gary and the money that we were spending to make sure he could participate fully in the debates in this place is indicative of their attitude where all disability issues are concerned. I would just hope they will work with us to make sure we can improve this piece of legislation.

**The Deputy Speaker:** The floor is open for further debate.

**Mr Frank Mazzilli (London-Fanshawe):** I'm certainly privileged to be able to speak to this Ontarians with Disabilities Act, 2001, Bill 125.

I want to start and convey some key information about the important role of municipalities in this bill. This role began with the best practices of certain municipalities which formed the model that underlies the legislative approach. Municipalities are among the stakeholders that will be directly affected by the proposed legislation if it is passed. They have a crucial role to play in implementing change to make our province more accessible.

Municipalities have a direct impact on our daily lives—a more direct impact than any other level of government. The plans and decisions of municipalities determine the character, safety and convenience of our streets, parks, public transit and the public buildings that we use every day. Municipal governments oversee and enforce the bylaws that affect accessibility and mobility of our residents. Municipalities implement the building code and the Planning Act. Their professional and experienced staff oversee the renovations and retrofits.

Because they affect our everyday lives in such an important way, municipal governments are pivotal to successful barrier prevention and removal. That is why we have included mandatory measures for municipalities in this bill as part of the machinery for realizing this government's vision. It is also why the bill, if passed, would mandate the creation of accessibility advisory committees at the local level to ensure that persons with disabilities have structured and sustained opportunities for input to influence the work municipalities do to improve accessibility.

**2020**

At the same time as my honourable colleague Mr Jackson met with many municipal representatives and the Association of Municipalities of Ontario, he came to recognize that each municipality would be coming to the table with a different starting point. Each local government is unique. Its community is unique. Its circumstances and priorities are unique. It became clear that a one-size-fits-all solution certainly would not work. Representatives of persons with disabilities recognized this as well. So from this consensus and stakeholder input grew a bill that respects the municipal need for autonomy and flexibility. At the same time, it puts in place measures to ensure that municipalities will improve accessibility steadily until our vision of an inclusive Ontario is achieved.

Let me add also that these measures are based on municipal experience of what works. I'd like to take a

few moments to give some examples of municipal success stories that the government heard of as it developed the model for this bill.

Let's take a look at the city of Brockville. Within the city, two private citizens, John and Elaine McClintock, have worked tirelessly to raise awareness of disability issues through a non-profit organization called Education for Quality Accessibility. This organization provides education to people who are providing accessibility so that physical barriers can be appropriately removed and persons with disabilities can be more independent. The city has incorporated the services and assistance of Education for Quality Accessibility for many years.

Within the city of Kawartha Lakes, the former town of Lindsay has had a municipal advisory council for the disabled since 1990. The council acknowledges businesses that incorporate accessibility features into their renovations by giving them certificates of merit and promoting their endeavours in the local media. I've got to say that I think many people are taking that sort of approach. It's a positive approach and one that at all levels of government we need to do more of. If you look at the issue of stolen cars, I know the Metro Toronto police department was publicizing some models and giving credit to some manufacturers that were putting in locking devices and so on. In this case, what the municipality of Lindsay is doing is giving credit to businesses that are barrier-free and promoting those businesses within that community. That's an approach that, and I think it's no secret, has positives for everybody involved. It has developed a booklet of retail stores that are accessible. The council has also produced a set of standards which is used to review site plans for new public buildings and renovations when considering applications for building permits.

The town of Gravenhurst has taken the initiative to ensure that its public facilities—the new library, the sports centre, the performing arts centre and the municipal offices—are fully accessible. The town is currently in the planning stages of a renovation to the old library building and is making accessibility one of the key objectives for this project.

The Minister for Citizenship has often referred to the city of Windsor, where for 20 years the municipality has worked with its accessibility committee to bring about change. The accessibility committee, with the support of the city, conducts its own accessibility audits on private and public buildings and publishes the results. In Windsor, the casino, the big new hotel and the arena were not built until the municipal accessibility committee had reviewed the plans and had their input into how to make these buildings accessible. Windsor has become a model for what co-operation, goodwill and partnership can achieve. It's also a splendid example of what can be done when everyone has the will to do it and the rights for persons with disabilities. This bill would provide the means by which municipalities across Ontario can follow the example of places like Windsor and others to remove existing barriers and prevent the building of new ones.

These municipal experiences are part of a strong foundation we have in Ontario for persons with disabilities, a foundation that includes other legislation: the Human Rights Code, other government programs and services for persons with disabilities, and the talent and energy demonstrated by the municipal and disability communities as well as others of the public and private sectors. If passed, Bill 125 would harness this energy and talent to create innovative solutions, locally driven, for the greatest impact.

Now I'd like to take a few moments to outline the specific provisions in the bill that will apply to the municipal sector. Most of these provisions affect municipalities with 10,000 or more residents. That amounts to more than 160 municipalities, representing more than 90% of the population in Ontario.

The bill would require that these municipalities mirror the provincial government and develop accessibility plans that would identify barriers, set out specific actions to prevent and remove those barriers, and report on progress. The bill would require these plans to be made public.

It would also require municipalities of 10,000 or more residents to establish accessibility advisory committees, which of course would include representation from the disability community. These committees would report to municipal councils, advising on the development and implementation of accessibility plans. The committees would provide input on the purchase, construction, renovation or leasing of buildings. Other specific functions of these committees would be developed through regulation, in consultation with the Association of Municipalities of Ontario.

Municipalities would also have to change their planning process to include accessibility when approving a subdivision plan. No new subdivision or construction could occur without the consideration of accessibility features. Curb cuts, audible traffic signals and inclusive designs would become more common features in Ontario communities.

Municipalities would be required to consider needs of persons with disabilities when purchasing goods or services, and they would be given the authority to set accessibility as a condition for issuing a municipal licence. This would not only enhance accessibility in day-to-day life for persons with physical, visual and other forms of disability; it would go further and bring disability issues to the forefront in municipal planning. It would create more public understanding and awareness of accessibility issues and it would enhance public accountability. An ongoing and participatory role in decision-making for persons with disabilities would be created.

Currently, 15 municipalities have passed resolutions in support of an Ontarians with Disabilities Act. Seventeen municipalities have advisory committees related to improving accessibility for persons with disabilities. Since introducing the proposed ODA, the government has received several calls from other municipalities saying they are eager to get started and asking for information on how to improve access for persons with disabilities.

Many municipalities have expressed their support for the government's mandatory proposals. The city of Windsor says, "We're thrilled that the proposed legislation mandates committee involvement in municipalities across this province." The city of Peterborough says, "Our city is pleased that the proposed ODA requires municipalities to address accessibility issues with the disabled community." The city also says that the proposed legislation will give municipalities the right framework, guidance and tools to ensure that Ontario will be the most inclusive province in this country.

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Last but by no means least, Ann Mulvale, president of the Association of Municipalities of Ontario, says, "The organization supports provincial policies that facilitate our planning and implementation, as we anticipate this legislation will do just that." Municipalities are key players in making Ontario accessible to persons with disabilities. I'm proud to support the proposed legislation.

I've also listened intently in this debate to members on the opposite side of the Legislature. I will say that in speaking to members of the disabled community—and let's acknowledge that there are different levels of disability and accessibility, especially on the high-needs end, where some high-needs children who now are adults are living with older parents. They've been through, in those cases, all three of our parties; they've been through all three governments. They've heard these arguments, and those people are not buying, if you will, the criticisms that are not constructive. They have lived through Liberal governments, they've lived through NDP governments, they've lived with previous Tory governments, and, quite frankly, they are tired of the constant arguments that are brought forward.

We have to have a starting point. It's pretty hard for governments of all sorts to go out and say, "We want a community to do something that we're not doing," if government buildings, say, are not accessible and yet we expect someone else to do that. So we have to have a starting point. If it's the provincial government that needs to lead by example, then we have to retrofit our buildings, the ones that are not currently retrofitted. I will say that in most parts of this country, in urban centres, all governments have done not a bad job of it. They certainly have a long way to go in some communities. In rural communities, in northern communities, I imagine much of that has not been done in any of the buildings, by governments or otherwise. That certainly needs to be dealt with.

The one thing I hear from business owners and otherwise on accessibility issues is that if you start with construction that's 100 years old—if you look at this Legislature, if it were not for the elevators and some of the other issues, there are some structural problems to deal with. But with new construction, those things can be addressed very easily and very cost-efficiently. But the will needs to be there to do those things.

The approval of subdivision site plans is very important. We talk about some of the aging parents with high-

needs kids. Even if they do have financial resources to move, what's the point of moving if you're only going to move to another subdivision that's not accessible? There is no point. Although we wish we could make every existing subdivision accessible, I think the fact that we're moving that new subdivisions have those types of structures in place is a big step forward and a progressive step.

When you look at some of the other things—and I think as able-bodied people, we sort of make everybody's decisions for them. The disability councils that will be created will avoid the fact that any engineer or any designer or any civil servant at city hall will overlook something, and it's not a question of that person not being qualified or that that person may not have thought of something. But these are people who are actually going to use something. So you want their input right at the design stage. I think having that is enormous, and it's important to commend communities that have already been doing this.

We've heard of communities like Windsor, and I know in London many of the new buildings, all I would say, are accessible. There are always issues when there's new construction, something that's overlooked, and I've got to tell you when something is overlooked it's embarrassing. It's embarrassing for the designers and it's embarrassing for the municipal and provincial governments that may have provided the funding to build those structures that something in the design stage was overlooked. Why was it overlooked? It was overlooked exactly because the disability community was not at the table overseeing the original design; something that they would have noticed right away and said, "This doesn't work." This second-floor issue, this elevator, the height of these buttons, all of those issues that became embarrassing to people were things that, had the input been there right from the start, would not have occurred.

The other thing is that having the disability community at the table overlooking everything at first will actually be cost-effective, because, as I've said, on some embarrassing issues it's not an issue of money; they've obviously been overlooked. You end up going back and redoing things. We all know that in construction when you have to go back and redo something that was done two weeks ago, that is brand new, you're effectively being inefficient and wasting taxpayers' money. The disabled community being at the table making those recommendations right from the start will in fact save taxpayers' money.

The legislation also, as I said, looks after municipalities with 10,000 or more, about 160 municipalities. The big municipalities for the most part have become accessible and continue to be accessible. In the remote areas of Ontario, certainly areas with less than 10,000 population, it will be a continual struggle to address the needs of those people in those communities without further input.

I'm very supportive. I know the disabled community has been through all three of our parties. They want to get on with it, they want some positive change, and I'm prepared to support this legislation.

**The Deputy Speaker:** Members now have up to two minutes for questions or comments.

**Mr James J. Bradley (St Catharines):** The member has put forward the government case for this legislation, as we expect he would; and, as he might expect I would, I want to find what I think are ways the bill can be strengthened.

One of the things you have to look at with each piece of legislation is, can it be implemented? Is there sufficient funding to implement it? I recognize that the bill isn't by any means only about funding; it's about rules and regulations, it's about effecting change in Ontario. But what I would like to ensure, as I'm sure he would, is that the necessary funding is provided to the minister and to those in charge of implementing the bill to ensure that its provisions can be implemented.

I know there's always a concern about smaller communities and an imposition on smaller communities, but we have to recognize that people who are disabled reside not only in major metropolitan areas, but in rural areas and in smaller communities. It is fine for the government to impose obligations upon those smaller communities, with the proviso of course that they assist financially and with the degree of expertise that the provincial government has in the implementation.

We believe the bill is a step forward. There has been a lot of consultation, or at least a lot of talk, about this legislation. We think there are amendments that could be provided, and if the government were to support those amendments, it might be reasonable to support the bill. At this point in time, we would consider the progress to be of a modest nature, so modest that it would be difficult to support it in its present form. I hope the member will work to get support for opposition amendments.

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**Mr Martin:** I appreciated the comments from the member from London who, yes, spoke of the very good work that is going on in some municipalities across this province where accessibility is concerned. However, he did not in any way enlighten us in terms of what he would do in cases where municipalities simply don't want to or couldn't afford to do this work. The voluntary nature of this bill is one of the issues that is raised. What of a mandatory nature is there to make sure that every community across this province is able to live up to some of the expectations?

He also spoke about the need for consultation with the disabled community. I just wanted to enter into the record some thoughts from a member of our Ontarians with Disabilities Act Committee in Sault Ste Marie, a woman by the name of Clare Walker. She goes on to say that everyone is what she refers to as "temporarily able-bodied." She says, "It takes only a stroke, a car crash, increasing age" and you can become disabled; and before you reach the age of 75, one in six Ontario citizens will be.

She goes on to say that it's essential "that stakeholders be an integral part of the final decision-making process as to what is included in the act. We have to get away from

the paternalistic attitude of the TABs," as she calls them, "who seem to be experts at telling members of our society who have a disability what it is that they need and what could be best done to help them. How presumptuous!

"Our Native citizens have a wonderful saying about walking in another person's moccasins!

"The act must be able to be enforced.

"Compliance must not be an option.

"It must have a timeline by which various actions of compliance must be accomplished."

I know from talking to her the other day that she would also say we need to take this act out around the province so that she and the many others who have very important experience and knowledge to share will in fact be able to do that.

**Mr John O'Toole (Durham):** I'm very pleased to stand and respond to Minister Jackson's initiative to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments. I listened to the member from London-Fanshawe; that's why I came back to the House. As parliamentary assistant, I believe he's trying to make the public more aware of this important initiative. I know Minister Jackson has worked tirelessly as an advocate, in many respects, to make sure there's a place for them at the table.

If you look at the explanatory notes in the bill, which isn't one of these larger, more complicated bills, in section 5 it says, "The government is required to accommodate the accessibility needs of its employees and applicants for positions as government employees." There's a case where the government can only control those things it has responsibility for.

In section 13 of the bill it says, "The minister responsible for the administration of the bill is required to establish the Accessibility Advisory Council of Ontario."

As Mr Mazzilli outlined, there is really an opportunity for municipalities to take a full leadership role, supported by the government, to include those people who have needs. Those people are the best people to advise either the municipal, provincial or indeed the federal level of government.

So I believe this is an important first step. It's an opportunity for those people to be at the table where the decisions are made. I commend the minister for bringing it forward. It's difficult. It's not everything everyone wants, but it's a commitment by this minister to make sure that the right people are at the table and that they will be heard.

**Mr Dave Levac (Brant):** The member from London-Fanshawe, in one of his rare moments, has stood up in the House this evening and basically said that, my goodness, three sets of different governments—and he had trouble coming out with it—and even the Tory government had some difficulty with this, trying to come up with this piece of legislation. He gave us a little bit of a history lesson. I appreciate the member actually saying that previous governments, plural, have had difficulty

with this particular act. The minister has indicated that before in a less nice way that basically pointed fingers at the two sides of the government, but the member for London-Fanshawe did us a favour by giving us a little bit of a history lesson, that this is a topic that needed to be done and it had to get done today.

Quite frankly, I want to continue his history lesson by saying that more than six years ago, on May 24, 1995, Premier Mike Harris made a promise to enact an Ontarians with Disabilities Act within the first term of his office. Unfortunately, that just didn't happen, just to make sure people understand that. Bill 83, the government's 1998 attempt at the ODA, actually embarrassed everyone. The bill, which was only three pages long, demanded only voluntary compliance and was applicable to only the Ontario government. The legislation would not have required that one single barrier be removed.

The important part that we need to put out today is that there should be consultation across the board that makes sure that everyone, inclusively, takes care of this problem, and we have to act together to make sure that people with disabilities are seen as equal and contributing citizens in the province of Ontario.

The problem that I have with the legislation is that one of the biggest components in my riding is the elderly parents taking care of their disabled children, and it does not have any housing component in it, as the minister himself had indicated to someone else in his own riding that they would take care of. But hopefully that will be rectified.

**The Deputy Speaker:** The member for London-Fanshawe has up to two minutes to respond.

**Mr Mazzilli:** Certainly, when you look at this legislation, there is some flexibility for municipalities. The last thing you want to do is, for municipalities that have been doing things right—as I said previously, there are municipalities that have been doing some of these things for 20 years.

The interesting thing as we move into this debate is people who want to make legislation so encompassing. They want to cover everything in this bill, and they say, "I would be able to support that if it had this to it," or "I would be able to support that if it had a few more things in it." Just look at what's in the bill and say, "Do I agree with it or don't I agree with it?" If further things need to be done, there will be a point in time by this Legislature, by other governments, to make those changes. But look at this bill and say, "Do I agree with it or don't I?" and vote in good conscience. Don't say, "Well, I would if it included the elderly parents."

I've spoken to experts and I have asked, "Why do we have so many high-needs kids now into the adult age?" It's because of medical technology. So we are going to have more people to look after. I've said that those parents are tired. They've been through all three of our parties governing. They want positive change. Not one of our parties has a monopoly on their sympathy or their votes. I ask members across the Legislature, do you or do you not agree with the present legislation? Vote in good conscience on that basis.

**The Deputy Speaker:** The floor is open for further debate.

2050

**Mr Gerretsen:** Actually, I'm enjoying the debate tonight because it has less of a partisan tone to it than usual.

I think the Minister of Community and Social Services probably put his finger on it unintentionally when he stated earlier, "We're already spending \$5 billion to \$6 billion," or, "We've increased from \$5 billion to \$6 billion," the amount that we spend on the disabled in our province. Whether that amount is so or not, I'm not sure. We've got a figure here of \$3.6 billion. But what his comment conveyed to me was that it's all a question of money, and it is all a question of money. How much money does the government want to spend or does the government want private business to expend in order to make facilities accessible to the handicapped, to the disabled? That's what it's all about.

As the last member said, some municipalities have done it for years. Many municipalities decided many years ago—I know in my own municipality they decided about 20 years ago that every sidewalk that was going to be built was going to have these off ramps at corners so it was easier for wheelchairs to come off and on. It was a step in the right direction.

The real question is, is this step far enough to tie in to the promises that were made to the 1.6 million people with disabilities in the province of Ontario, to satisfy their needs or to satisfy the promises that were made to them? That's really what it's all about, and I say that when you look at what this House has done over the last six years and what the 11 principles that have been adopted by this House on three separate occasions unanimously indicate, then I say that what is contained in the bill—and I will go through it, not section by section but area by area—is greatly deficient.

Is it a step in the right direction? As the member for Durham admitted himself, it is a step in the right direction. Yes, it is a step, but how big a step is it? When you get right down to it, it is a very, very small step because, just to go over the history once again, on May 24, 1995, Mike Harris said that he was going to enact an Ontarians with Disabilities Act. I suppose people could even argue, "What did he really mean by that? How far was that act going to go?" I don't know. Maybe he thought Isabel Bassett's bill that she introduced a couple of years ago, which was basically a voluntary program on government ministries, went far enough. But he made the promise, and since that time that promise has been approved in this Legislature on three separate occasions that I'm aware of.

I know that Marion Boyd, a member of your caucus, came up with a resolution back in 1996, passed unanimously in the House, that Mike Harris live up to his promise to pass an Ontarians with Disabilities Act. Nothing happened. Then in 1998, Dwight Duncan of our caucus came up with the same idea and he actually enunciated the 11 principles that should be encompassed

in an act. What happened? Passed unanimously by this House. We all said, "Yes, that's what we want to do." Steve Peters, on November 23, 1999, basically brought a motion forward which again dealt with the 11 principles as to what should be contained in the act. It was again unanimously passed by everybody. We all want to be good guys. We all passed it.

In the meantime, we also saw Isabel Bassett come up with a very lame bill—

**Hon David Turnbull (Solicitor General):** You guys did nothing.

**Mr Gerretsen:** Well, the minister keeps saying, "You guys didn't do anything in the 1980s, and they didn't do anything in the 1990s," and I agree with you. Nobody has done anything. The point is that you are trying to make it sound as if the act that you're now passing is going to resolve all the problems or is going to deal with these 11 principles, and it isn't. I will just reiterate very quickly those 11 principles that were contained in the resolution that has now been passed twice by this House.

The first principle is that the act should "effectively ensure to persons with disabilities in Ontario the equal opportunity to fully and meaningfully participate in all aspects of life in Ontario based on their individual merit, by removing existing barriers confronting them and by preventing the creation of new barriers." A very laudable goal.

Secondly, it "should supersede all other legislation, regulations or policies which either conflict with it, or which provide lesser protections and entitlements to persons with disabilities." In other words, if the act is in conflict with other acts, the new act should supersede. I will turn to this act momentarily after I've gone through the 11 principles. This act doesn't do any of that at all, in any way, shape or form.

The third principle: it "should require government entities, public premises, companies"—private companies, public companies—"and organizations to be made fully accessible to all persons with disabilities through the removal of existing barriers and the prevention of the creation of new barriers"—and here's the crucial wording—"within strict time frames to be prescribed." There is nothing in this bill that requires anybody, either on the government side or within private industry, to implement whatever the guidelines are within any period, whether it's one year, 10 years, 20 years, whatever. The principle clearly addresses this and says it should be done within strict time frames.

Fourth, the act "should require the providers of goods, services and facilities to the public to ensure that their goods, services and facilities are fully usable by persons with disabilities."

Fifth, it "should require public and private sector employers to take proactive steps"—in other words, not just a plan, not just a guideline; no, to take proactive steps—"to achieve barrier-free workplaces within prescribed time limits." That's what the fifth principle states. This act does not do that in any way, shape or form.

Sixth, it "should provide for a prompt and effective process for enforcement." Well, there is one area where it

suggests a \$5,000 fine if somebody, I don't know, either parks in a handicapped zone or sells a handicapped permit without authority. Although that sounds very good, a \$5,000 fine—why not throw them in jail for six months as well?—the real effect it will have, and you know this as well as I do, is the reluctance of the officer to issue a ticket for \$5,000, knowing full well that's going to be challenged, because whoever parked in that spot is going to find some sort of excuse, that they had to take somebody there on an emergency basis. Nobody is going to say, "Oh, well. Here's a parking ticket for \$5,000. Let's just go in and pay it." A \$5,000 fine sounds good, but I would like to know how often that is going to be implemented. There's going to be great hesitancy by any enforcement officer to issue a \$5,000 ticket and there's going to be even greater hesitancy to pay it, because they'll come up with any excuse and probably take it through every court.

It really fits in with this government that they always believe the way to get rid of offenders is by slapping on these huge fines. That's the way we get rid of squeegee kids and everything else associated therewith. Anyway, that's a bit of a side issue.

Seventh, it said it "should provide for a process of regulation-making to define with clarity the steps required for compliance with the Ontarians with Disabilities Act."

Eighth: "to provide education and other information resources to companies, individuals and groups who seek to comply with the requirements" of the act. I suppose that's included in there to some extent, the educational component of it.

Let's see. Finally, the 11th principle is that the act "must be more than mere window dressing." I suppose the real question is, is this act merely window dressing? Is requiring each ministry, each large municipality, to at least come up with a plan to deal with overcoming disability problems good enough or is it just window dressing? Some people in the government will undoubtedly say that it's a step in the right direction. Yes, I agree with them that it's a step. How big a step? Does it actually confirm or are they actually in compliance with the promise they made in passing this act? I guess you'll have to ask the people who have been asking for this act. I don't think it does.

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Let's take a look at the act now—I've gone through the explanatory notes and made some observations—to see how far government or private industry really has to go to deal with the barriers. When it's all said and done, it isn't going very far.

"1. In consultation with persons with disabilities and others"—and the government makes a great to-do over the fact that they're setting up all these committees now. Wonderful. I suppose I would say, why haven't we don't that before? If the Liberal government in the late 1980s didn't do it before, I say the same thing: why didn't they think of that before? To establish a committee so that you can have the committee look at various laws that are

being proposed to make sure that those laws are in compliance with the act is a very laudable goal. It doesn't cost you very much. You may get some very good suggestions as a result of doing that, and I suppose that's one of the goals, but is that such a revolutionary step? Maybe to some people it is. Maybe to some people the fact that you're actually going to listen to the disabled so that they can have input into what kinds of rules and regulations you've got is a big step. I don't regard it as a big step because I would have thought we would have done that years ago, and if we didn't do it years ago, shame on us. But to me that's not a large step. To me that is window dressing. Is it a step in the right direction? Yes. Is it a big step? No.

It says, "In consultation with persons with disabilities and others, the government is required to develop barrier-free design guidelines for buildings, structures and premises." So there's no time frame. We're talking about a guideline, so it's not mandatory. Is it better than nothing? Yes. Is it living up to their promise? I don't think so. Maybe they do.

Then it goes on to say, "When entering into a lease for a building, structure or premises ... the government is also required to have regard to the extent to which the design of the leased premises complies with the guidelines." It's that old one, "have regard to." In other words, you have to contemplate it for a moment and then you can basically disregard it. You can't totally ignore it but, as long as you put your mind to it, you can say, "Yes, I've had regard to it and I've decided not to do anything about it." In other words, having regard to is not a very strong commitment at all. We've gone through that same argument with respect to the Planning Act. I know that you and other members here are fully familiar with it.

"2. In deciding to purchase goods or services through the procurement process for the use of itself, its employees or the public, the government is required"—again—"to have regard to their accessibility for persons with disabilities." In other words, there's no need to ensure that when the government buys something, those services are going to be available to the disabled. Somebody will just have had to sort of bear it in mind in deciding whether or not to buy from that particular private individual and then, if they want to ignore it, they can do that. I don't think that's very strong. That isn't really giving the disabled community the kind of act that I think they were looking for.

Another principle says, "The government may include requirements with respect to accessibility to persons with disabilities as part of the eligibility criteria for certain projects." Remember, I said, "may include." In other words, the government is not obligated to include requirements with respect to accessibility to persons with disabilities at all. It just "may include" that. It's permissive legislation. They can ignore it. This is the government's bill. I'm not reading my own propaganda. I'm reading right from the government's bill. It's right in the explanatory notes.

**Mr Wayne Wetlaufer (Kitchener Centre):** You're just putting your own interpretation on it.

**Mr Gerretsen:** Yes, I'm putting my own interpretation on it, and we'll let the people themselves decide. I'm just reading exactly what's here and what the government is obligated to do. In no part does it say that the government is obligated to do anything, sir, nowhere at all.

"Municipalities having a population of not less than 10,000 are required to have an accessibility plan that addresses the identification, removal and prevention of barriers to persons with disabilities in their bylaws." I think that most municipalities—and it would have been interesting. Maybe the minister will comment on how many municipalities of over 10,000 in this province don't already have this in place. I doubt if there are very many, if any at all.

**Hon Mr Jackson:** There are only 15.

**Mr Gerretsen:** OK. I'm interested in listening to him later on. If those municipalities are there, then it's a good thing that you make it mandatory that they at least have those accessibility plans or make those accessibility plans. But let's not let the disabled community or people with disabilities believe that somehow this is radical and revolutionary, because it isn't.

It goes on to say in number 9, "In deciding to purchase goods and services through the procurement process for the use of itself" and "its employees ... the council of every municipality is required"—here we have it again—"to have regard to their accessibility for persons with disabilities." "Having regard" again; in other words, it's not mandatory. They can put their attention to it and either do something about it or not do anything about it.

"Organizations that provide public transportation are required to have an accessibility plan"—nothing about implementation, nothing about implementing it within five years or within 10 years. Wouldn't it have been nice to have an act that says, "Look, every new building that gets put up, every new lease that we enter into with an organization or whatever, shall be accessible to the disabled." Presumably, when you're leasing buildings as a government, you can put that demand in because you know there are an awful lot of landlords out there who love to rent to the government. They know that if you rent to the government, you're going to get your cheque every month. There's very little risk involved. It's usually a long-term deal.

Why didn't it deal with some of those issues? Make it mandatory for those particular individuals. If they had to modify it, the cost may be reflected in the amount of rent you have to pay. That gets me back to the first argument. We're talking about money here, the spending of either public money or private money of corporations on behalf of shareholders etc.

In other words, yes, this is an attempt. Are some of the disabled groups happy with it? I suppose from their viewpoint it's better than nothing and it's certainly better than the bill that came forward in 1998. Is it the real, meaningful disabilities act that everybody was hoping for, or that we had all agreed to by way of this resolution that we passed in this House adopting these 11 principles on three separate occasions over the last five or six years? No, it is not.

I say to my friends on the other side that you can attack me all you want and, yes, I realize that a lot is left open to interpretation. I know what your bureaucrats would have offered you in advice, that you can't get involved in a requirement situation, that it's much better to do it in a permissive situation because it's ultimately less costly. But let's be upfront about that with the disabled community. The Minister of Community and Social Services said earlier, "We have increased their budget from \$5 billion to \$6 billion in the last six years. How much would you spend?" That's really what it's all about.

I have no idea what it would cost to make every public building in Ontario completely accessible to the disabled or what it would cost the government, if for example it gets into new leasing arrangements, to make sure those buildings are accessible to the public. You're probably talking about a wad of money. But I believe that if you at least had an attempt to put some timelines in this bill, some framework that you're working toward that you can measure your own accomplishments against as a government, then you'd have something.

Right now, all you're going to have are just a whole bunch of guidelines and plans that may or may not be enforced by a particular ministry, depending upon whether or not they want to do it and depending upon whether or not they've got the money to do it. That's the real shortcoming of this bill, that there aren't any mandatory requirements in it, even over a long period of time.

**The Deputy Speaker:** It is now time for questions and comments.

**Mr Bisson:** I want to take the opportunity while the minister is here to make a couple of comments. I am one, as is the member for Sault Ste Marie, who wants to work with what's in this bill. The bill may not go as far as some people in the disability community want it to go. They want more mandatory-type provisions in the bill that force people to make access an issue when it comes to both private sector and public sector buildings, and I agree in general with that. But at least it's a step in the right direction. I've got to give the government some credit for actually rolling out the bill and getting to the point where we are now. But I'm worried that the government, by way of what's going to happen here over the next month, is going to be in a hurry to pass this bill without proper committee hearings, without proper time for study of the bill and amendments in order to fortify the bill, and will want to get it passed sometime before Christmas. Why? Because we know the House is going to be proroguing.

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For people who are watching and don't know what that means: we're going into a leadership race. The Tories are going to choose a future leader who will become the Premier, and the House will not sit until some time in April, after the leadership convention. They're going to want to wipe off all the legislation that is on the books and start with a new slate after the election of a new leader.

So I'm asking the minister responsible, Mr Jackson, to do what my friend Tony Martin, the member from Sault Ste Marie, has suggested: let's work with your bill. We'll agree as New Democrats to allow a motion in this House that says that the bill will survive prorogation and will be brought back next spring, but this coming winter we take a month or two to do proper hearings so that we can talk to people in the disability community in other places and to our municipal partners and private sector partners about how we can accomplish some of the things we want in this bill.

I know we can do it. We all want to do the same thing, and that is to provide for the best possible structure for the disabled community. We in the New Democratic Party offer our assistance to the government in order to make this bill even better so that people with disabilities can live with dignity.

**The Deputy Speaker:** The Minister of Citizenship?

**Hon Mr Jackson:** I'd like to respond to the comments made by the member for Kingston and the Islands, himself a former mayor of the city of Kingston. I am quite familiar with Kingston, as my family grew up in that part of the province. It's a great city.

But I'm surprised that the member opposite seemed unaware, nor did he reference the fact, that his own city of Kingston had an accessibility advisory committee that advised council and helped council, nor, I would assume under his leadership as mayor, did he feel that there would be a place for such a committee.

One of the pieces of this legislation which is so unique in North America is that it mandates the disability community to actually have a say in decisions that go on in their municipalities. The member opposite has also indicated his concern, and just for the record, the 10,000 threshold is a starting position in the legislation, and we'll hear from municipalities of rural Ontario and from northern Ontario municipalities who will express concerns. Do communities of 100 or 150 people need a committee? We'll hear all that during the discussions. But if it's the official position of the Liberal Party that all municipalities have this imposed, then they should say that and come forward with it.

We have heard very little from the Liberal Party. I had hoped to hear a little more clarity from the members tonight. That's why I've been sitting here: to listen to every bit of the debate. I will continue to hear all the debate until the bill is passed. But their critic has gone on record as saying that they want to gut this bill, that they want to start again with an ADA, the Americans with Disabilities Act. Mr Levac's parting comment had to do with supportive housing. Well, the Americans with Disabilities Act doesn't include housing. It is exempt completely, and yet our legislation here includes housing, very clearly includes housing. So I would hope that the members opposite would look at this legislation with more of an open mind.

**The Deputy Speaker:** Thank you. Further questions and comments?

**Mr Bruce Crozier (Essex):** The real test of this bill after it's passed will be, and I have no doubt that it will

be, how do those with disabilities in our province feel that it's going to help them? Is it going to help them the next day? No. Is it going to help them a year from now? I'm not sure.

As my colleague from Kingston and the Islands said, there need to be timelines. This type of legislation is something that can't just go halfway. You're either going to be sincere about it and make recognizable differences in the way we treat the everyday lives of those with disabilities or you're not. Committees can go on forever. You can have all kinds of studies, but what is that really going to do?

There are businesses in this province that make millions off everyday, ordinary citizens, whom those with disabilities are part of. These businesses should be required as well to provide access to those with disabilities. Are we going to assist them? Is the government going to assist them? That's a question, I suppose, that should be asked. Are they going to have to do it on their own under certain timelines? I think they should. If we just simply send this to committee and if we allow municipalities to study and have a plan without any definite timelines in which those in our province who struggle through life every day—if they can't have any confidence in that, then I'm not so sure that this legislation goes far enough.

**Mr Martin:** I agree with the member for Kingston and the Islands when he says that this bill gives no guarantees that barriers will be torn down at all, let alone within a reasonable time frame; that this bill requires no mandatory compliance by the private sector at all; that this bill does next to nothing for anyone with a disability other than that of mobility. It does not mandate such things as sign language interpreters in hospitals, safe street-crossing systems for the blind or even education supports. This bill calls for accessibility plans with no timelines or money to guarantee those plans will ever be put in place. And to top it all off, this bill offers no enforcement strategy whatsoever.

In the end, people with disabilities are stuck with the current complaint-driven system, reliant on the incredibly overburdened Human Rights Commission to do something about it. People with disabilities have been fighting really hard for years to get legislation that would open up everyday access to this province for 1.6 million people who are excluded on a daily basis. These people are counting on us at this time in this place to do the right thing and amend this bill so that it in fact puts mandatory requirements in, talks about money to support initiatives and sets out some timelines.

At the end of the day, this bill does no more than set up advisory committees that people with disabilities can try to join so they can fight and lobby more to try and get the changes they were promised this legislation would make. This law was supposed to change that. Again, I go on record as saying that what we need is to take this bill out across this province. We need to take the time to do that so that we can make those hearings accessible to all those people in small, medium and large communities across Ontario who have a vested interest in making sure

we do the right thing this time around. I challenge the government to work with the Liberals and ourselves to make sure that happens.

**The Deputy Speaker:** The member for Kingston and the Islands has up to two minutes to respond.

**Mr Gerretsen:** I'd like to thank the members for Timmins-James Bay, Sault Ste Marie and Essex and the Minister of Citizenship for their comments. I take some comfort in the minister's comment. I believe he stated that there will be an awful lot of discussion about this bill, so I assume that he will allow it to go for full public consultation around the province, which obviously cannot be accomplished between now and Christmas. I noted the House may prorogue at that point in time, but I also noted it would be easy for the House leaders to pass a motion to have this bill carry on during the winter, and during that period of time public consultations could be held throughout the province.

The real test is this: if the government really believes that the disabled community and its various communities—as the member for Sault Ste Marie mentioned, there are people with all sorts of disabilities. We have basically focused on people with sight disabilities, but there are many other disabilities as well. If they really believe that this bill is supported by all the different groups out there, the best test is to put it out for public consultation and to find out whether or not they really do, as well as the able-bodied people who may have opinions about it one way or another.

If they really believe that it's a meaningful bill that nobody else has ever done anything about, that's all the more reason to make sure we get it right and to have public consultation as much as possible. But again, I look at this bill as just a very first step, and I would certainly hope that amendments will be coming forward to actually see the implementation of it and put timelines in for that implementation.

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**The Deputy Speaker:** The floor is open for further debate. The rotation is to the government, so you have this opportunity. I see a government member on his feet.

*Interjections.*

**The Deputy Speaker:** Order. As soon as your colleagues settle down, you'll get the floor. The member for Oak Ridges now has the floor.

**Mr Bradley:** And he's wearing a new suit, an expensive suit.

**Mr Frank Klees (Oak Ridges):** I want to thank the member for St Catharines for his compliments on my suit.

I take pleasure in rising to participate in this debate this evening. Before I say anything else, I want to compliment the many people who have been working on this legislation over the last number of months. Specifically I want to make reference to a constituent of mine, Mr Barry Munro, who is the president of the Canadian Spinal Research Organization, an individual who believes very strongly that the actions of this government

are a positive step. I'd like to read into the record one of his comments, if I might.

"From this point forward, all sectors will have to embrace accessibility as a value and incorporate it into their thinking on a daily basis. This is a significant beginning and we commend the government for demonstrating leadership and putting Ontario at the forefront of mandated change."

I want to compliment as well the minister, the Honourable Cam Jackson, for his leadership on this issue. I know that he has worked diligently over the last number of months, together with a number of my colleagues on this side of the House. I also want to be assured that we do not forget the work that the former Minister of Citizenship, the Honourable Helen Johns, put into this issue.

I think it's only appropriate that we also recognize members on both sides of the House who, over the last number of years, have advocated for an important step to be taken by this Legislature to recognize that we must show leadership in this House on this issue in ensuring that people with disabilities in this province are recognized for some of the incredible challenges they have just to do the day-to-day things that we take for granted in our lives. Whether that's simply leaving the house in the morning and getting into a mode of transportation, whether that's simply accessing the front door of a building or making their way into an office building, we, who are blessed with not having physical disabilities, often forget the tremendous challenge that people have who must exercise a great deal of energy and patience in just simply getting through the day.

So I'm pleased to participate in this debate because it allows me to tell not only members in this House but people across this province about what I consider to be an historic opportunity for us as members of this House to not only debate but ultimately to pass this piece of legislation.

Let us not forget here that no other government that has sat in this place has ever brought forward a bill of this magnitude as it relates to people with disabilities in this province. No other government has worked as hard to make it the right bill.

Is it perfect? I don't believe that any of us, whether we sit on this side of the House—certainly from what I've heard in the debate so far, it's very clear that members of the opposition here don't believe this is a perfect bill. In fact, I will look at Hansard tomorrow because I cannot believe the degree to which members of the opposition are suggesting that this bill isn't even worth bringing forward; in fact, they would much rather have it go back to more study, more consultation, defer it longer and put further into the future yet the day when people in this province, people of disability, can take ownership of at least a meaningful first step, an important step, in entrenching in legislation certain rights and privileges that will place obligations on the provincial and municipal governments and place a great deal of moral suasion into the private sector to do what is right. So we can be

justifiably proud of the bill that is getting second reading today.

While we're focusing on Bill 125 today, we must not lose sight of other measures this government has taken over the years in implementing and improving independence and opportunity for persons with disability. Indeed, the successful creation of an inclusive Ontario will depend on a combination of legislative and non-legislative measures, mandatory and voluntary initiatives, and the ultimate success will depend on the co-operation and commitment of every person in every part of this province.

Members of the opposition spent a great deal of time railing about the fact that there is not sufficient mandatory obligation, whether it be on the private sector or even on the public sector. I suggest that there are some things that we really must look to our partners to come to the table on in a willing way because it's simply the right thing to do. This legislation clearly sets out a framework of what can be done, a number of areas that will place tremendous obligation and provide a position of leadership to municipalities and in fact the provincial government to show the way as to what can be done when there is a will. We know this because persons with disabilities have told us that this kind of mix of voluntarism, voluntary initiative, and the appropriate mandatory requirements would work best. They told us that while legislation is important, it is not the only route to take. This is precisely why Bill 125 is designed the way it is. The legislative and non-legislative, the mandatory and voluntary measures proposed are cohesive and compre-

hensive. They will lead us, we believe, to the goal that is outlined in our vision statement, a province in which no new barriers are created and existing ones are removed.

Our vision statement should be read very carefully. It encapsulates this government's absolute commitment to and absolute respect for persons with disabilities. It embodies the clear principles behind our framework for change. It is not a vision to which we pledge lightly. The persons with disabilities that we have talked to understand the spirit of this vision and understand the intent of this mission statement, and they support it fully. Would that members of this House would all embrace it fully, not only in letter but in spirit, and work together toward its implementation.

Changes in public awareness and attitudes will be vital if persons with disabilities are to share the same rights and freedoms as every other Ontarian. Our vision was an important first step toward independence for persons with disabilities because it describes the principles that lie behind every component of our framework for change.

Speaker, I know the time is coming to a close for this session this evening, and I look forward to continuing this debate on our next sessional day. I welcome the opportunity to work together with all members of this House to be sure that this very important first step is in fact a positive one for those of us in this Legislature and for all persons with disabilities in this province.

**The Deputy Speaker:** It now being just moments after 9:30 pm, this House will stand adjourned until 1:30 pm tomorrow.

*The House adjourned at 2130.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
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Beaches-East York	Prue, Michael (ND)	Hastings-Frontenac-	Dombrowsky, Leona (L)
Bramalea-Gore-Malton-	Gill, Raminder (PC)	Lennox and Addington	
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Brant	Levac, Dave (L)	Kingston and the Islands /	
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
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Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
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Elgin-Middlesex-London	Peters, Steve (L)	London-Fanshawe	Mazzilli, Frank (PC)
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	<b>Stockwell, Hon / L'hon Chris</b> (PC)		Minister of Correctional Services / ministre des Services correctionnels
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Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	<b>Harris, Hon / L'hon Michael D. (PC)</b> Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim (PC)</b> Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
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Oak Ridges	Klees, Frank (PC)	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary (PC)</b> Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad (PC)</b> Minister of Transportation / ministre des Transports
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
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Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
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Parry Sound-Muskoka	Miller, Norm (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
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Samia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 20 November 2001

Mardi 20 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 20 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 20 novembre 2001

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### HIGHWAY FUNDING

**Mr Michael Gravelle (Thunder Bay-Superior North):** For several years now, I've been very disturbed about the unfair proportion of provincial highway infrastructure funding that's been allocated to north-western Ontario. In fact, while new capital has been spent on expanding the highway system in other parts of the province, we've only seen rehabilitation work being done in northwestern Ontario. As much as we appreciate those improvements, this lack of support for new highway projects has left us with rapidly increasing traffic volumes on our increasingly dangerous roads.

In that regard, I will continue to push for the necessary four-laning of the highway between Thunder Bay and Nipigon, as well as the need for more paved shoulders in passing lanes throughout the district.

But now, with an anticipated budgetary shortfall of perhaps \$5 billion next year and the likelihood of reduced funding for highway improvements as a consequence of that, I want to encourage the Minister of Transportation to provide the needed funding now for the projects that are on his own ministry's priority list.

Specifically, I would ask the ministry to speed up their plans for new passing lanes between Thunder Bay and the McKenzie Inn. This section of the highway is a virtual bottleneck that deeply frustrates drivers and quite frankly is a very dangerous part of the highway system. I would also ask the minister to move ahead with the construction of the Harbour Expressway extension, the beginning of the Shabaqua Highway. This project is ready to go and it would alleviate a serious problem on Arthur Street and Dawson Road.

Not only would these projects stimulate the economy in the construction sector, they would also vastly improve safety on our dangerous roadways. Minister, these are projects that are on your own list for completion. Do the right thing and give them the green light now.

#### APPRECIATION OF POLICE

**Mr Frank Mazzilli (London-Fanshawe):** Today I rise in the House, as I've done many times in the past, to

recognize, acknowledge and thank police officers for the work they do. Police officers work day in and day out to keep their communities and our children safe from crime. They do this continuously and it warrants mentioning again.

Today the Police Association of Ontario is representing the police officers of Ontario here at Queen's Park. I'd like to take this opportunity to welcome members of the association to the House today.

I also wish to recognize the members of the board of directors of the Police Association of Ontario who are in the House today. They are Bob Baltin, president; Terry Ryan, chair; Dan Axford, director; Dave Kingston, director; Jim Mauro, director; Brian Miller, director; Brenda Lawson, civilian director; and Bruce Miller, administrator. This board of directors works for and represents over 13,000 police officers from municipalities across Ontario.

I know there are many municipalities, but I also wish to recognize members of the London Police Association: Bob Wilson, Doug Morton, Caroline Burge, Sam Cook and John Veilleux, all very good friends and former colleagues of mine.

For the work the police officers and civilian police personnel perform each and every day in Ontario, I am proud to rise in the House and to thank and recognize them.

#### SMALL BUSINESS

**Mr Mario Sergio (York West):** The recent economic statement by the Premier does absolutely nothing to alleviate the fears of small and medium business owners in Ontario. Large corporations have mainly benefited from the tax cuts, and those benefits came at the expense of the success of small and medium businesses, leaving small business owners to fend for themselves.

The Ontario's Edge package does not help small business to be more competitive either. While corporation taxes in Ontario are already lower than those of any American state, the emphasis of the Premier's announcement was again aimed at pleasing big corporations.

Premier, in announcing a further \$2.2-billion giveaway to big corporations, you are totally neglecting to assist the biggest job creators, the thousands of small businesses in our province. Small and medium businesses cannot compete. They cannot compete with the big-box retailers. They cannot compete with a disproportionately lower tax rate in other municipalities. They cannot

compete with promotion and advertising. They cannot compete with new technologies, high rent and the very limited ability to access financial resources. The small business community is in trouble and just managing to survive.

Premier, if you truly believe that small businesses create more than 75% of new jobs in Ontario, then I ask you to reconsider your recent \$2 billion in corporate tax cuts and pay attention to the call, the plight of the many thousands of small businesses in Ontario.

#### EDUCATION FUNDING

**Mr Michael Prue (Beaches-East York):** I'm standing today to ask the government again to reconsider your funding formula for schools. It has failed enormously.

Two weeks ago I attended a meeting in my riding of the school accommodation review for Catholic schools in Beaches-East York. In my riding there are nine Catholic schools. They are Canadian Martyrs, Holy Cross, Holy Name, St Aloysius, St Bernadette, St Brigid, St Denis, St John and St Joseph.

The meeting was called because at least two of these schools are going to have to be closed to accommodate the government's funding formula. At least two communities are going to see their schools closed down. At least two communities are going to see their kids having to be bused. At least two communities are going to see their schools fragmented and the teachers dispersed.

The Catholic board has set up studies to determine which two schools are going to close, but I will tell you that when that is announced, there will be people angry from one end of Beaches-East York to another. They do not want to see this happening to their children. They do not want to see the dislocation. They believe that the government's funding formula is totally to blame.

I ask the government to reconsider that formula, which is going to do so much damage to Catholic education in Toronto. I would ask the minister to rethink this and do the appropriate thing.

1340

#### FEDERAL CORRECTIONS SYSTEM

**Mr Wayne Wettlaufer (Kitchener Centre):** As you know, it's our nation's police forces that maintain peace in our communities. Every day these special men and women put their lives on the line. They are the thin blue line, if you wish, which separates a peaceful, orderly country from one of anarchy and chaos. Yet, it would appear that the federal government places very low value of the lives of the men and women in blue, our police officers. The Police Association of Ontario is outraged at the lenient treatment convicted cop killers are receiving by Corrections Canada.

Yesterday it was reported in the Toronto Sun that Clinton Suzack, a vicious cop killer, was transferred to the William Head medium-security camp on Vancouver

Island, "where inmates can go golfing or go fishing and watch whales swimming by.

"The reality is this is a less-than-secure five-star resort. If it wasn't so sickening, it'd be funny," PAO president Bob Baltin said."

I want to know how Clinton Suzack ended up in a medium-security facility and why he is being prepared for release, only eight years into a 25-year sentence. How is it that the Liberals across the way talk about justice but they don't have the intestinal fortitude to reproach their federal cousins in Ottawa to urge changes to this?

I want to know why James Hutchinson, one of Canada's most notorious police killers, was able to literally walk away on a civilian escort.

*Interjections.*

**The Deputy Speaker (Mr David Christopherson):** Thank you. Your time has expired. Order. Nobody else is going to speak until there is quiet.

#### LONG-TERM CARE

**Mr John Gerretsen (Kingston and the Islands):** "Long-term care in Ontario is in crisis." Let me repeat that: long-term care for our seniors, our elderly, who have served this province to ensure that we can enjoy the quality of life that most of us are enjoying in this province, is in crisis. So says the Ontario Association of Non-Profit Homes and Services for Seniors.

Many of us from all sides of the House had an opportunity to meet with this organization this morning, and they made it crystal-clear to us that the amount of funding the province puts into long-term care is highly inadequate. As they state, "Government funding for the operation of ... homes for the aged and nursing homes is not keeping pace with the changing requirements of residents who today are being admitted with far more complex health care needs. As a result, these facilities are now finding that their ability to provide adequate, appropriate, quality care is being compromised."

There's a shortfall of \$558 million. The homes currently are being paid only \$62 per day, the lowest level for a patient anywhere in Canada. What is the result of all that? The result is that the level of individual attention is desperately lacking.

I say to the members on the other side, get after the cabinet and have them increase the funding for the people who made sure we could enjoy the quality of life that we do in this province.

#### DIWALI

**Mr Bob Wood (London West):** I rise today to draw to the attention of the House to the fact that over 800 million Hindus across Ontario and the world celebrated the Festival of Diwali on November 14. The celebration took place November 16 this year in London.

Diwali, or Deepawali, the most pan-Indian of all Hindu festivals, is a festival of lights symbolizing the

victory of righteousness and the lifting of spiritual darkness. It commemorates Lord Rama's return to his kingdom Ayodhya after completing his 14-year exile. Twinkling oil lamps, or diyas, light up every Hindu home in India and fireworks displays take place across the country.

The goddess Lakshmi, symbol of wealth and prosperity, is also worshipped on this occasion.

The festival also marks the start of the Hindu new year. At this time, most Hindu homes worship Lord Ganesha, the symbol of auspiciousness and wisdom. Spring cleaning and decorative designs for homes are the order of the day. Family members come together to offer prayers, distribute candles and light up their homes.

Diwali has been celebrated for many centuries, but celebration this year is especially significant. Given the events of the past few months, surely it is particularly important this year for all to celebrate the triumph of light over darkness and the triumph of good over evil.

I know that all members of this House would join with me in wishing Hindus across Ontario and the world a happy new year and a warm Namaste.

### CRIME PREVENTION

**Mr Dave Levac (Brant):** I rise today to acknowledge, welcome and thank the presence of many good members of the Police Association of Ontario. From ridings right across Ontario, these fine officers represent the hard-working and professional men and women who day in and day out keep us and our hard-working families safe and secure.

They are here to remind all the members in the Legislature that there is still work to be done, work that on this side of the House we understand and take very seriously, and we are willing to put actions to our words. That's why it's important to point out that Dalton McGuinty and the Liberal caucus have provided many ideas and concrete examples of what needs to be done right now.

First, let me remind you that my leader offered the Ontario security fund \$100 million worth of help instead of a measly \$30 million from the Mike Harris government. Our caucus has offered legislation on the replica guns, which they stole; on child prostitution, which they stole; on protecting police information from people stealing their information, which they stole; on biker bunker mentality, which they stole.

We're awfully glad the Conservatives are finally getting tough on crime. We're glad you're going to start taking action that represents the ideas coming from this side. We're trying to protect those police officers who keep us safe and secure every single day of the year. I thank them for it.

### PAT AND ROSA SIMON

**Mr Bart Maves (Niagara Falls):** I rise today to pay tribute to Pat and Rosa Simon. Mr and Mrs Simon were

honoured recently by the city of Niagara Falls with a plaque outside their restaurant that represents 100 years of the restaurant being at that location in the Falls.

Pat and Rosa have over the years been extremely generous to the community. At every event anyone attends in the Niagara region, one will find Pat with his camera taking photographs of the people at the event. He's a chronicler of the history of Niagara.

Over the years, Pat and Rosa have also been generous with their restaurant in making donations to people in the community and those who come in the restaurant. It's been a meeting place for many years on Bridge Street at the foot of the Whirlpool Bridge.

Over the years, many famous people have been in this restaurant. Those people include Sir Winston Churchill, the Pope, and a more recent famous person, the Premier of Ontario, Mike Harris.

The community is very proud of Pat and Rosa Simon. They are a beloved couple. About a year ago now there was a surprise presentation for their many years of service to the community by the chamber of commerce. A spontaneous outpouring of goodwill came from the crowd, with a standing ovation that lasted quite a long time.

I'd like to stand here today and congratulate Pat and Rosa on the 100th anniversary of the restaurant and thank them for all they've done our community.

### LEGISLATIVE PAGES

**The Deputy Speaker (Mr David Christopherson):** Members, before we move to reports by committees, I would ask you to join me in welcoming this new group of legislative pages serving in the second session of the 37th Parliament.

We are pleased to have with us Nicole Agro from Halton; Andrew Brett from Scarborough Southwest; Eric Brown from Windsor West; Kathryn Herbert from Chatham-Kent-Essex; Edwin Horton from Haldimand-Norfolk-Brant;

Maxwell Mausner from Parkdale-High Park; Kate McLeod from Peterborough; Andrew Persaud from Eglinton-Lawrence; Alim Remtulla from Trinity-Spadina; Hilde Romme from Oxford;

Natasha Rupani from Nepean-Carleton; Erica Skinner from Markham; Adam Stanley from Don Valley West; Patrick Suter from Burlington; Heather Sutherland from Renfrew-Nipissing-Pembroke;

Joanna Van Dorp from Bruce-Grey-Owen Sound; Jacie Webber from Essex; Michael Weersink from Perth-Middlesex; Graydon Whalley from Haliburton-Victoria-Brock; and Johanna Wilson from Leeds-Grenville.

Members, I present you with your new pages.

1350

## INTRODUCTION OF BILLS

### HIGHWAY TRAFFIC AMENDMENT ACT (MOTORCYCLE AND BICYCLE HELMETS), 2001

#### LOI DE 2001 MODIFIANT LE CODE DE LA ROUTE (CASQUES DE CYCLISTES ET DE MOTOCYCLISTES)

Mr Bartolucci moved first reading of the following bill:

Bill 136, An Act to amend the Highway Traffic Act with respect to motorcycle and bicycle helmets / Projet de loi 136, Loi modifiant le Code de la route en ce qui concerne les casques de cyclistes et de motocyclistes.

**The Deputy Speaker (Mr David Christopherson):** Is it the pleasure of the House that the motion carry? Carried.

The member now has an opportunity to say a few words.

**Mr Rick Bartolucci (Sudbury):** This bill amends the Highway Traffic Act to require motorcyclists and bicyclists to surrender their helmets for police inspections upon request. Presently, if a police officer pulls over a member of a motorcycle gang and asks to inspect his helmet, the member of the motorcycle gang can say no. The only way the police officer is able to pursue the cause is by charging the member of the gang with obstruction. If this bill is passed, it will maximize police resources for policing as opposed to pleasing motorcyclists in their effort to be disrespectful to police officers.

I look forward to quick passage of this bill, and I would like to thank Sergeant Robin Tiplady from the Sudbury Police Services and Constable Chris Hart, who were instrumental in doing the research on this.

### PRIVATE INVESTIGATORS AND SECURITY GUARDS AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LES ENQUÊTEURS PRIVÉS ET LES GARDIENS

Mr Levac moved first reading of the following bill:

Bill 137, An Act to amend the Private Investigators and Security Guards Act to require a minimum level of training for licensees and to require that uniforms and vehicles of security guards be readily distinguishable from those of the police / Projet de loi 137, Loi modifiant la Loi sur les enquêteurs privés et les gardiens en vue d'exiger un niveau de formation minimum pour les titulaires de licences et d'exiger que les uniformes et les

véhicules des gardiens se distinguent facilement de ceux de la police.

**The Deputy Speaker (Mr David Christopherson):** Is it the pleasure of the House that the motion carry? Carried.

Mr Levac for a short statement?

**Mr Dave Levac (Brant):** This is another action bill that we have presented as the Dalton McGuinty team that requires that applicants for licensing as private investigators and security guards have a minimum level of training, to provide what they can and can't do as security guards, and not the action of a police officer. And they must be licensed.

The bill also requires that uniforms worn by security guards and vehicles that are used by security guards and any other private investigators in the course of their employment can be readily distinguishable from those of the police. This has been asked for by our police officers across the province. I am glad to bring this to the House and hope the Conservatives will work with us to make sure that this bill passes.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ONTARIO SECURITY

**Hon Michael D. Harris (Premier):** I rise in the House today to pay tribute to Ontario's everyday heroes. They are found in every city and every town and every neighbourhood. But they are far from common, because they are called to face uncommon dangers, make extraordinary sacrifices and risk their own lives. I am referring to the brave women and men, the everyday heroes, of Ontario's police forces.

All across Ontario, these everyday heroes are in plain view. Our officers are always there for us to protect us, to uphold the law and to show us what bravery and dedication and service really look like. Our officers remind us that safety—the safety of our families, the safety of our communities—must never be taken for granted. And sometimes that safety comes at a very high price.

Ontario's police memorial stands just across the street from where I'm standing. It bears the names of 211 heroes in life, not death, officers who are known to have lost their lives in the line of duty since 1804 in the province of Ontario, everyday names like William or James or George or Robert or Margaret, everyday names of mothers, of fathers, of brothers, of sisters, of sons and of daughters, all loved and missed by the families they have left behind.

We have a responsibility to these officers and we have a responsibility to their families. We have a responsibility to support the men and women who continue to serve our communities despite the danger involved.

We certainly have a responsibility to speak out strongly against Ottawa's outrageous decision to transfer Clinton Suzack to William Head. This is a medium-security "Club Fed" facility on Vancouver Island. I want to thank the police association for watching out for its members and for bringing this matter to our attention. Suzack is the convicted murderer of Sudbury Regional Police Constable Joe MacDonald. Today we join the association in calling upon Corrections Canada to immediately reverse its decision to transfer Suzack. We call on Corrections Canada to ensure he serves the rest of his 25-year sentence in a maximum security facility, just as his trial judge recommended.

For more than six years now, we have worked hard to give our police the tools and the resources they need. We've allocated 1,000 new police officers, officers who will work in communities all across Ontario. We've taken a tough new approach to organized crime by introducing civil measures to freeze, seize and forfeit the proceeds of unlawful activity. We've responded swiftly to new threats to our safety. We've taken a lot of these actions in spite of the deficits and tremendous budgetary pressures that we inherited in 1995.

The world also changed on September 11. It changed for Americans; it changed for Canadians; it changed for freedom-loving people everywhere in the world. It certainly changed for police officers, for firefighters, for emergency workers. Too many lost their lives that day. Those who remain must now face the possibility of new threats and dangers that some say used to be reserved for Hollywood movies.

We must give our police the tools they need to respond. We must not let our police officers down, and I'm here today to say we will not let our police officers down.

1400

As members know, we appointed retired RCMP Commissioner Norman Inkster and retired Major-General Lewis MacKenzie to advise us on security issues. We're helping municipalities plan for emergencies, and we're conducting a comprehensive review of Ontario's emergency preparedness. We're providing \$4.5 million to create a new rapid response team within the OPP to work with and to assist local police forces to respond to terrorist threats; investing \$3.5 million in a special unit to assist municipal and federal authorities to investigate and rack down terrorists and their supporters. We are ensuring that our front-line officers have the necessary equipment to respond to terrorists threats. We are building new facilities to train police officers, firefighters and ambulance personnel to deal with terrorist threats and to manage emergencies.

In Ontario we pride ourselves on a culture that is welcoming and tolerant, but when people or organizations threaten that way of life, our police officers stand ready to respond. They are our first line of defence. They deserve our thanks and they deserve our support and they deserve our respect.

Mr Speaker, there is something else we must do to protect our people and our way of life. We need a North American security perimeter to protect our citizens and to protect our economic strength. Whether it's a terrorist threat from abroad or a more recognizable enemy here at home, we know that the good guys are our men and women in police uniform. Once again, we will call upon our police to help because we cannot keep Ontario secure without their assistance. Once again, I know they'll face the challenges and they'll face the dangers ahead with the same courage and determination that we are recognizing today.

So on behalf of the people of Ontario, I say thank you. Thank you for your bravery and for your commitment. Thank you for your professionalism. We have always needed heroes, and right now we need you more than ever.

**Hon David Turnbull (Solicitor General):** It is a privilege to join the Premier in paying tribute to the men and women in police uniform who put their lives on the line every day to keep our streets and our communities safe. Like the Premier, I had the privilege to gather with the officers last May at the Ontario police memorial ceremony of remembrance. We paid tribute to the men and women who died in the line of duty. We thought of the families they had left behind: the spouses, the children and the parents. We thought of the friends who lost their companionship and support forever. We owe these men and women a tremendous debt. They have given their lives to keep our communities safe.

But we owe them more than gratitude and respect. We owe it to them to make sure the police officers who are safeguarding our communities have the tools to do their jobs. This government is committed to putting those tools in place. The Premier spoke of some of them. I'd like to take this opportunity to outline for the House some of the other steps our government has taken to make our communities safer and to help our police officers do their jobs.

We have seen that intelligence is essential to counter-terrorism activity. And that's why we are enhancing the capacity of the criminal intelligence service of Ontario to conduct counterterrorism intelligence activities. We are helping the federal law enforcement officials track down illegal individuals in the province. To achieve this, we are expanding the mandate of the repeat offender parole enforcement unit, or ROPE unit. We have committed additional funding and staff to expand the Ontario Police College and also the hate crimes and extremist unit.

Criminal activity by young people continues to be a challenge for communities across the province. That's why our government has dedicated \$2 million a year to the youth crime and violence initiative. This program supports police service programs that focus on youth crime. The initiative will also support partnerships between police and community groups that assist youth at risk.

Tips to police about criminal activity are vital to the fight against crime. That's why our government has

assisted the Ontario Association of Crime Stoppers. We have provided three quarters of a million dollars over the last four years to support the Crime Stoppers call centre 24 hours a day, seven days a week.

Yesterday in Hamilton I was pleased to announce an additional \$200,000 for the Ontario Association of Crime Stoppers. This will help expand and improve Student Crime Stoppers programs province-wide.

This spring our government acted where the federal government had failed. In April, we established Canada's first sex offender registry. It gives police the crucial information they need about sex offenders living in our communities. This allows officers to better investigate and solve crimes of such a nature.

In response to the Campbell report on the Bernardo investigation, our government once again demonstrated its commitment to safe communities. We have invested more than \$25 million to establish a major case management system which was launched in May. This new tool allows police to more effectively investigate serial crimes that cross different jurisdictions.

This government has not forgotten the debt we owe to these police men and women whose names appear on the police memorial. We can never repay them fully, we can never truly comfort the loved ones they have left behind, but we can honour our obligations to them. We will continue to fulfill our responsibilities to the police officers who work so hard and bravely so the rest of us can live our lives in peace and security. To these men and women, let me echo the Premier and say a simple, heartfelt "thank you."

**The Deputy Speaker (Mr David Christopherson):** Further statements by ministries? Hearing none, the two opposition caucuses now have up to five minutes each to respond.

**Mr Dalton McGuinty (Leader of the Opposition):** Speaker, before I begin my formal response, I would like to rise on a point of order. I would like to seek unanimous consent to move and pass the following resolution without debate:

The Legislative Assembly of Ontario offers its unequivocal support for the Joe MacDonald resolution adopted by the Police Association of Ontario and calls on Corrections Canada to immediately return Clinton Suzack to a maximum security facility.

**The Deputy Speaker:** Is there unanimous consent to introduce the motion? I hear unanimous consent. If the leader of the official opposition would formally put the motion, please.

**Mr McGuinty:** Yes, I will. The Legislative Assembly of Ontario offers its unequivocal support for the Joe MacDonald resolution adopted by the Police Association of Ontario and calls on Corrections Canada to immediately return Clinton Suzack to a maximum security facility.

**The Deputy Speaker:** The unanimous consent was without debate. Therefore, I will immediately put the motion to the House.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** Mr Speaker, on a point of clarification: Does that include fulfilling the full term of his sentence?

1410

**The Deputy Speaker:** There's no debate on the matter. If you're unclear, then I would suggest you may have to vote in the negative, but the House has allowed—

*Interjection.*

**The Deputy Speaker:** I suspected that. The House has allowed the motion to be put.

*Interjections.*

**The Deputy Speaker:** Order, please. It's a very serious matter. The motion has been duly put. There will be no debate. I will immediately put the motion to the House.

All those in favour of the motion, please indicate by saying "aye."

All those opposed, please indicate by saying "nay."

The motion is carried unanimously.

**Hon Mr Jackson:** On a point of order, Mr Speaker: In the same spirit, then, would the House be willing to entertain an amendment to the resolution to include the words—

*Interjection:* A further resolution.

**Hon Mr Jackson:** A further resolution—thank you—calling upon the federal government to ensure that Clinton Suzack fulfills his full term in a maximum security prison.

**The Deputy Speaker:** I need that in writing, but there is a request that the House unanimously agree to allow that motion to be put. Is there agreement? I hear no opposition, so if you can get that to me quickly in writing.

I'll ask the Minister of Citizenship to please read out the motion.

**Hon Mr Jackson:** A further resolution, Mr Speaker, that states that this House urges Corrections Canada and the federal government to ensure that Clinton Suzack serves out his full sentence in a maximum security institution.

*Interjections.*

**The Deputy Speaker:** Order, please.

*Interjections.*

**The Deputy Speaker:** Member for Sudbury.

*Interjection:* He's not in his seat.

**The Deputy Speaker:** Neither is the member for Niagara Falls.

Mr Jackson has moved that this House urges Corrections Canada and the federal government that Clinton Suzack serve out his full sentence in a maximum security institution.

Is it the pleasure of the House that the motion carry?

Any opposed?

Hearing none, the motion is carried unanimously.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker—

*Interjections.*

**The Deputy Speaker:** Order, please. You don't have the floor yet.

*Interjection.*

**The Deputy Speaker:** Using a piece of paper to hide your lips doesn't do it, John.

The member for Niagara Centre.

**Mr Kormos:** I seek unanimous consent to put a motion, to be determined without debate, that this House urges the federal government to restore immigration and custom personnel staffing at our borders to an appropriate level, and I have written it.

**The Deputy Speaker:** Is there unanimous consent that the motion introduced by the member for Niagara Centre be allowed?

I heard noes. Let me test the House again. Is there unanimous consent to allow the introduction of the motion as presented by the member for Niagara Centre?

I heard a no. We will therefore resume the response by the leader of the official opposition to the remarks of the minister and the Premier.

**Mr McGuinty:** Thank you, Speaker, and at the outset let me thank all members of the Legislature for their unanimous support of the resolution.

What I really want to do today on behalf of the members of the Ontario Liberal caucus is to offer my words of support and thanks to the men and women of Ontario's police services. Let me say directly to those officers present in the gallery today and to all those watching these proceedings on TV that for your courage, your sacrifice, your dedication and your unwavering commitment to serving our communities, we thank you.

Words are important, but we in the Liberal caucus know that words alone will never be enough. We believe that fighting crime starts with actions, not words.

That's why we took action by proposing a plan to protect the personal information of our police officers. Last spring, MPP Dave Levac, our colleague, proposed a private member's bill that would have required the government to create a comprehensive plan to protect police officers and their families.

Again we showed that fighting crime starts with action, not words, when we took the lead on banning replica guns in Ontario. When Michael Bryant first proposed this, the Solicitor General and Attorney General laughed. I am proud to say that the government eventually passed a law based on our proposal, and our police and the broader public will be the safer for it.

Because we believe that fighting crime takes action and not words alone, we fought hard to end the Harris government's practice of allowing criminals sentenced to jail for drunk driving to serve their sentences outside of jail in a place much more comfortable, like their homes. When we first raised this matter, the corrections minister said we were wrong. After we provided additional evidence, it was the minister who was forced to admit that he was wrong. I'm proud to say that because of Ontario Liberals and the good work of my caucus colleague Dave Levac, the drive-by window has been taken out of Ontario's jails.

Again this summer, Ontario Liberals showed that fighting biker gangs starts with actions and not words. We proposed legislation that would have allowed municipalities to get rid of the barricades and surveillance equipment used to protect biker gang clubhouses. The government was slow to react, but they have recently tabled their own legislation modelled on our proposal, and we look forward to passage of that bill.

There is so much more that this government might be doing to fight crime and make our streets safer here in Ontario.

For years now, Liberal MPP Rick Bartolucci has campaigned on behalf of legislation to get child prostitutes off Ontario streets. The government has promised to follow Rick's lead and to pass legislation, and we look forward to passage of that bill.

We also urge the government to listen to our police, who oppose this government's plan to privatize our jails, because our police, like us, understand that privatization means a greater number of escapes, putting our public at greater risk.

This government could adopt our post-September 11 proposal for the creation of a \$100-million Ontario security fund to pay for security improvements. This fund would help municipalities hire police officers and firefighters. In a post-September 11 world, that would be a very significant advancement.

There is much work to be done by the Ontario government to fight crime. Ontario Liberals have led the way, but our work is not yet done. We look forward to working with the police, and we will continue to propose policies that ensure our communities are safe for our working families and all others.

1420

**Mr Kormos:** New Democrats were pleased to be able to join representatives of the Police Association of Ontario today here at Queen's Park, police officers from Samia and Sault Ste Marie, among others. We were pleased to be able to sit down and dialogue with them as they explained to us matters that are first and foremost among their concerns currently in terms of the nature of policing in Ontario. We join every member of this Legislature in applauding our police officers and expressing gratitude in the modest way that people can in view of the incredible service that police officers provide to our communities, big here in Toronto and, yes, small like so much of Ontario.

Quite frankly, at the end of the day platitudinous speeches don't cut it, and although we welcome the opportunity to pay tribute to our police officers who, in solidarity with other front-line people out there like firefighters and emergency medical personnel, the people who are front and centre performing incredibly challenging jobs, incredibly difficult jobs, increasingly over the course of decades incredibly complex jobs—the demands on a police officer have never been higher. There are no two ways about it. The requirements of policing have never been more demanding; no two ways about that. The challenges a cop out there in big-city Ontario or

small-town Ontario faces have never been more daunting.

At the end of the day, all of the kind words, all of the congratulatory speeches, all of the platitudes in the world don't address what remains a very fundamental crisis in policing in Ontario, and that is the underresourcing of police services boards, police forces in every community in this province. The bottom line is that there are fewer police officers per capita today than there were six and a half years ago.

The reality about confronting crime is that it is the likelihood of apprehension that remains the single biggest deterrent. As long as crooks and thieves, among others, in community after community can assess the status of the number of police cars, sometimes down to a miserable low of two or three in small-town Ontario patrolling huge, vast areas, as long as the bad guys know there are only two or three police cars on a given midnight shift spread from one end of a huge geographic district to the other, those bad guys are going to feel they've got licence to do whatever they want to do to your home, to your business, to your property and beyond.

The fundamental issue is one of ensuring that our police forces are adequately staffed, that they have the tools to do the job, that they have access to the technology that permits them to do their job effectively and, yes, safely. It does no good to tell cops to go out there and bust the bad guys when crown attorneys, because of understaffing, are plea bargaining away serious charges, plea bargaining away charge after charge. We've documented that phenomenon in this House and confronted this Attorney General with that over the course of the last six years on a regular basis. It does no good for cops to be out there doing what they do and what they do well and what they're committed to doing when the courts are underresourced so that sausage-factory justice results in guilty people being discharged or results in charges being withdrawn or results in yet once again more of this growing and pervasive phenomenon of plea bargaining.

I want to speak to you also about the plight of police officers in remote areas of northern Ontario, in communities like Peawanuk, in communities like Fort Albany, Ogoki or Attawapiskat. I've told you before how the member for Timmins-James Bay and I have travelled through those communities visiting native police services, one-person police forces trying to conduct 24-hour-a-day policing; Attawapiskat—virtually no holding cells available for their police officers to hold people in detention; in Peawanuk, the police boat on the coast, a boat with no motor.

It's that phenomenon, it's that understaffing and that underresourcing, that's the fundamental issue that should be addressed. All the new legislation in the world won't solve policing problems in this province until we recognize the need to adequately invest in police forces in every community of Ontario, until we recognize the need to ensure cops, women and men out there on the

front lines, have the tools to do their job and do their job effectively and safely for themselves.

#### VISITOR

**Hon Dan Newman (Minister of Northern Development and Mines):** On a point of order, Mr Speaker: I'd ask all members to join me in welcoming the mayor of Kenora, David Canfield, to the Legislative Assembly today.

**The Deputy Speaker (Mr David Christopherson):** That's not a point of order, but we all join in the welcome.

#### ORAL QUESTIONS

##### TAXATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Finance. Later this afternoon, we are going to be voting on a resolution we've introduced which calls on the government to "forgo its \$2.2-billion corporate tax cut rather than impose any new cuts to health care services, public education, environmental protection or the introduction of new user fees." Quite simply, we believe that health care, public education and the protection of our environment are greater priorities than cutting corporate taxes by an additional \$2.2 billion. Our priorities are the priorities of our working families, and I'm asking you, Minister, on behalf of Ontario's working families, will you be supporting our resolution?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The tax reductions that are spoken of by the member opposite extend from now to 2005 in the province of Ontario. Is the member opposite suggesting that all tax reductions in the province scheduled from now to 2005 should be cancelled? Does he seriously think that will assist economic growth in the province of Ontario? Does he not understand the difference between a vibrant economy and a stagnant economy? Doesn't he realize what has happened in the past six years under the leadership of Premier Harris, where we've seen the creation of in excess of 800,000 net new jobs? Does he not realize that tax savings are reinvested in the economy, creating investment, jobs, new plants, new equipment? Does he not want prosperity for Ontario?

**Mr McGuinty:** Minister, you're telling us that we're looking into the face of a \$5-billion deficit and, notwithstanding that, you want to cut taxes. You're fond of looking into the TV camera. I want you to look into the eyes of Ontario's working families and I want you to tell them now that your corporate tax cut is more important than hospital care for a sick family member. I want you to tell Ontario's working families that your corporate tax cut is more important than textbooks and smaller classes for our children. I want you to tell

Ontario's working families that your corporate tax cut is more important than home care for our parents and our grandparents. I want you to come clean. I want you to be honest with them and tell them for the first time that you've never been on the side of Ontario's working families and that when it comes to corporate tax cuts, you're proving once again that when it comes to a choice, tough choices, you're not choosing the needs of Ontario's working families.

**Hon Mr Flaherty:** Looking at the Leader of the Opposition, let him come clean with the people of Ontario when he says, "I will not reverse the tax cuts if I become Premier. You can't afford to do so. It would send out a negative signal about our economy." Will you, Leader of the Opposition, stand up and tell the people of Ontario that you will reverse all of the tax cuts, contradicting what you've said before? What's the truth? What would you actually do? Would you reverse the tax cuts? I don't think you have the guts to do it. That's what you said before in Ottawa. What are you saying at Queen's Park today?

**Mr McGuinty:** I'm flattered that the Minister of Finance is looking to me for guidance with respect to financial policy, quite flattered. It's obvious that the minister is having some considerable difficulty coping with the changing economy.

My advice to him is to look for a good example to Ontario's working families. Our families are doing everything they can to protect the essentials. They won't be cutting the food budget, they won't be cutting winter clothing for their kids and they won't be cutting accommodation costs like rent and mortgage. They're protecting the essentials, and they expect that you will do the same thing in government, that on behalf of our working families you will protect their essentials: you will protect health care, you will protect education, you will protect our environment.

So I'm asking you, Minister, to look for a good example to Ontario's working families. Why won't you do that, Minister? Why won't you do what families are doing in their homes today? They're protecting the essentials.

1430

**Hon Mr Flaherty:** I note that we did not get an answer from the Leader of the Opposition about whether he would reverse the tax cuts. We did not get an answer from him. I don't know which to believe. But we do know that Mr McGuinty has always indicated that he—

*Interjections.*

**The Deputy Speaker (Mr David Christopherson):** Order. Minister, take your seat, please. Let's just calm down. I can't hear the minister. I want to hear the minister. Minister, if you would please answer.

**Hon Mr Flaherty:** This is about tax cuts and the Leader of the Opposition. We don't know what he believes today. Here's what he believed in 1996 on TVO. He was asked by Steve Paikin, "Would you raise taxes a bit?" Mr McGuinty: "No, I don't think so. No." Mr Paikin: "Not income taxes? Would there be other kinds

of taxes?" Mr McGuinty: "No. Well, I mean that's something that I'd consider. It would depend on the financial situation that obtained at the same time. We'll have to wait and see." We don't know where he stands.

**The Deputy Speaker:** Answer.

**Hon Mr Flaherty:** We don't know if he's for tax increases or against tax increases. We know at election time he changes his tune.

**The Deputy Speaker:** New question, the leader of the official opposition.

**Mr McGuinty:** My second round of questions is for the same minister. Minister, yesterday you said our taxes were still not competitive in comparison to the US. But this is what you say as your pitch in this booklet that's distributed to Americans when you're soliciting business, Here's Where You Should Be Doing Business: "In the area of corporate income tax, manufacturing and processing companies located in Ontario enjoy an advantage on average of close to 4 percentage points compared to their US counterparts."

Your corporate tax cut isn't about competitiveness. We're already very competitive in comparison to our American counterparts. It's about ideology. Why are you putting your ideology ahead of the needs of Ontario's working families?

**Hon Mr Flaherty:** I don't want to talk about ideology. I'll let the Leader of the Opposition talk about ideology. I want to talk about small business, reduction in taxes for small business in Ontario, and where the jobs are created in Ontario. You'd think the Leader of the Opposition would know by now that most jobs in Ontario are created by small business. We support entrepreneurship. Why doesn't the Leader of the Opposition? Why don't the Ontario Liberals support entrepreneurship? Why don't you support small business? Why do you want to make it more difficult for them to grow and to invest and to hire more people in Ontario? Don't you realize that's where the jobs come from? Don't you realize that the tax reductions that are before the House right now would reduce the small business income threshold to 6%, the small business rate? Are you against that?

**The Deputy Speaker:** Answer.

**Hon Mr Flaherty:** What do you think about increasing the threshold to \$280,000? What do you think about eliminating the capital tax for 11,000 small businesses? Is that what you're against?

**Mr McGuinty:** We have a much broader and more ambitious vision when it comes to competitiveness, much broader and much more ambitious. We understand that in the new economy the most highly prized and sought-after commodity is the skilled worker. The skilled worker still lives in a family, and skilled workers' families want—in addition to competitive taxes, which we already have—the best schools, the best health care and the best protection for our environment. That's what we mean when we talk about competitiveness. With your bent for proceeding with a corporate tax cut that will make our corporations pay taxes at a level that is 25% below their

American counterparts, you are compromising our true competitiveness. So I ask you, Minister, why are you bent on proceeding with this corporate tax cut and thereby compromising our true competitiveness here in Ontario?

**Hon Mr Flaherty:** If ever there was a time when we need to keep up with our competitors, if ever there was a time, it's in a time of economic slowdown. We need to stay competitive. We need to stimulate the economy in Ontario.

I understand the Liberals don't agree with that. I understand they want to raise taxes. I understand the way they governed in the province from 1985 to 1990: big government, big spending, big taxes, increase the sales tax, increase the gasoline tax, increase personal income tax, increase the corporate tax, increase taxes on small business, increase the payroll tax. That's what you believe in.

You don't understand that when you reduce taxes, that money goes into the economy. It helps to create jobs. It actually creates more income for government, \$15 billion more in Ontario today than six years ago, thanks to the leadership of Premier Harris.

**Mr McGuinty:** Better be careful whose coattails you hang on to over there, Minister. You might just need a parachute, hanging on to Mike Harris's coattails.

Minister, I think we should cut to the chase. This reckless corporate tax cut was not your idea. The fact is that you inherited this mess from Ernie. I mean, this wasn't even part of the party election platform. We both know that, as Minister of Finance, Ernie Eves made a lot of mistakes. He borrowed \$10 billion for a tax cut. He added over \$20 billion to the debt. Ernie Eves then hopped into the getaway car, and he left this minister holding a \$5-billion-deficit bag.

The minister is looking for every opportunity to distinguish himself from his predecessor. Here is an opportunity, Minister. Tell Ernie Eves to take his corporate tax cut back to Bay Street and that you're going to do something that nobody in your government has yet to do: you're going to stand up for working families and you're going to say no to this corporate tax cut.

**Hon Mr Flaherty:** The Leader of the Opposition seems to think—I think I understand him today—the way you help working families in Ontario, hard-working working families, is to increase their taxes. That's what he believes in. He believes that you help people by increasing their taxes.

Well, let me tell the Leader of the Opposition that the people of Ontario don't agree with you. They don't think that the way to be helped is for you to put your hand in their pocket. They had enough of that from 1985 to 1990. You want to talk about Ernie Eves and Mike Harris. Look how you left the government of Ontario in 1990. Look what you left for the NDP government. Look at the condition the economy of Ontario was in when you left it like that, in a shambles, a disaster in 1990. You should be ashamed of yourself. We're not going down that road again. We've learned better.

## CHILD CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Community and Social Services. The minister will know that today is National Child Day.

Yesterday you refused to rule out cutting \$200 million from child care and family resource centres across Ontario. At the same time, your Minister of Finance confirmed that he intends to proceed with \$2.4 billion in corporate tax cuts, another \$1-billion tax reduction in income taxes for the well-off and a \$300-million tax break for private schools: \$3.7 billion in tax reductions or tax breaks for your friends while you cut \$200 million from licensed child care. Can you tell the people of Ontario why children matter so little to your government?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I reject the premise of the question by the member opposite.

What was reported yesterday was that a preliminary draft discussion paper with some options was presented, was written by someone in the ministry. It is something which was seen to be of such little consequence it didn't reach my desk.

I can't say what will be or what won't be included in the budget process in March or April or May of next year in options for finding efficiencies and ensuring that we can honour a commitment that we made—I think that all members made in the Legislative Assembly of Ontario—to bring in a balanced budget. What we won't do is turn our backs on a sound economy. We won't turn our backs and watch an \$11-billion deficit once again ravage this province.

The real tragedy of the economic situation of the province is that we'll spend \$7.8 billion on social services but we'll spend \$9 billion on debt interest, run up by your government in the years of waste and wild spending. We will not allow the clock to be turned back.

1440

**Mr Hampton:** Minister, while you try that answer, you might want to explain to people how from 1995 to 1999 you borrowed money to finance tax cuts. You racked up debt to finance tax cuts.

But the question is about all those children and all those parents across the province who rely upon secure, licensed child care to help look after children, the hundreds of thousands of parents, and the tens of thousands of parents who are on a waiting list for safe, secure, licensed child care.

If this is just a suggestion from an underling in the ministry, then you as minister on National Child Day can stand in your place today and say it won't happen; you won't give away \$3.7 billion in tax reductions for the well-off and corporations and at the same time cut \$200 million from child care. Say that today as the minister who's supposed to be looking after children.

**Hon Mr Baird:** I think I was very clear yesterday, when I said that this draft preliminary report with some options to create a children's benefit was not something I'm considering.

**Ms Shelley Martel (Nickel Belt):** Let me remind the minister of the government's legacy so far with respect to child care that you've cut the budget for regulated child care by 15% since 1995. You've cancelled all funding for capital for new centres, for renovations and for playground equipment. You've capped proxy pay equity funding for child care workers at December 1998 levels, but centres still have the obligation and many are going to go under because of that liability. You've capped funding for subsidies for low-wage parents, you've capped wage enhancements for child care workers, and you've downloaded 20% of the whole child care budget on to municipalities. In the face of that, you have \$2.3 billion to give to your friends in the corporate sector.

Minister, the question is simple: if you are not going to proceed with a \$200-million cut to regulated child care and family resource centres, denounce the plan today and guarantee that you will protect the current level of child care funding and family resource program funding in this province. Will you do that today?

**Hon Mr Baird:** I have already said that the proposal that was released in the leak is not something I am considering. I don't know how much more clear I can be on that.

The member opposite talked about legacy. I'll tell you the legacy. We're spending more than \$700 million supporting parents and their child care needs. That's more than any Ontario government's history. That's more than the government with which she was a member of cabinet, I'll remind her.

She also talks about pay equity. This government has an unprecedented financial commitment to pay equity. We will spend more money supporting pay equity than any government in Ontario's history.

If you measure compassion by how much money you spend, by your own measure this government is showing more compassion.

The member opposite wants to talk about legacy—high debt, high taxes and high unemployment, and that led to despair in this province. We won't turn back the clock.

## TAXATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance. When economists across the province heard that you were looking at cutting \$5 billion from health and education and environmental protection and a host of other services in the midst of a recession, they couldn't believe it themselves.

Toronto-Dominion economist Don Drummond says it would be "draconian" to pull that much money out of the economy. "It would lower the growth rate.... There would be fewer dollars and cents flowing around the economy because every government dollar ends up in some

citizen's pocket." He said, "I wouldn't recommend they take \$5 billion out of the economy next year."

Minister, rather than making the recession worse, rather than killing more jobs, would you kill your corporate tax cuts and your \$300 million for private schools so that the services people depend on can continue and we won't be forced to take \$500 million out of circulation?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Again, I'm disappointed that the leader of the third party is off his tax-cutting stance on the retail sales tax and now he's back on increasing taxes, as the Leader of the Opposition is. They labour under the assumption that increasing taxes, increasing the size of government, increasing government spending make for a better Ontario. They did that from 1985 to 1995, and they left the province with an \$11-billion deficit for that particular year. As the Minister of Community and Social Services has just said, what it means is very substantial interest payments every year on the public debt, in excess of \$9 billion this year, that isn't available to pay for health care and education.

What tax decreases create is more revenue, more investment for the government—indeed, \$15 billion more revenue today than six years ago in Ontario, after all those tax reductions. That's why we can spend record amounts on health care, record amounts on education in Ontario: because of the tax cuts.

**Mr Hampton:** Minister, you might want to check the record since you became Minister of Finance, since after all of your tax cuts you have now lost over 27,000 jobs in the province during your reign as Minister of Finance.

My point is simply this. Withdrawing and cutting another \$5 billion from health care, from education, from protection of the environment, from child care is neither good for the services people depend on nor is it good for our economy, because taking \$5 billion out of circulation will mean a loss of jobs. It will mean more economic dislocation. Will you recognize that? Will you cancel your corporate tax cuts, cancel the further \$1 billion in income tax cuts for high-income people, cancel your \$300 million for private schools, maintain the funding in our health care system, our school system, environmental protection and child care, and maintain some continuity in our economy?

**Hon Mr Flaherty:** The member opposite misses something in his equation. He misses the fact that when you reduce taxes, that money goes into the economy. That money gets invested. It creates jobs. It purchases equipment. It expands businesses. Indeed, in the last six years in Ontario more than 800,000 net new jobs have been created. Surely the hard-working families of Ontario welcome jobs, welcome pride in their families. We should celebrate their successes. We should welcome tax reductions as a way of creating wealth and creating jobs in Ontario.

I know the member opposite doesn't understand that. I know he was part of the government from 1990 to 1995: big spending in a time of economic slowdown. I know he was part of the government who thought they could

spend their way out of an economic slowdown, resulting in an \$11-billion deficit in 1995-96.

### POLICE OFFICERS

**Mr Rick Bartolucci (Sudbury):** My question is to the Solicitor General. Two weeks ago, on behalf of Dalton McGuinty and the Ontario Liberals, I introduced Bill 128, An Act to permit the naming of highway bridges and other structures on the King's Highway in memory of police officers who have died in the line of duty.

Most of the members from the Police Association of Ontario who are delegates to their convention have a copy of this private member's bill. The preamble to it says, "We, the people of Ontario, are forever grateful to the dedicated police officers who have courageously and unselfishly given their lives in the line of duty." You and the Premier reaffirmed that, along with my leader, Dalton McGuinty, and the leader of the third party.

Today, Solicitor General, will you please give your commitment to the PAO and the Ontario Provincial Police Association that you will ensure that this bill becomes law before we break at Christmas?

1450

**Hon David Turnbull (Solicitor General):** I join the gentleman across the floor in saying what an incredible job the police do. We all share in the absolute tragedy of officers being slain in the course of duty. Clearly, I am supportive of anything to recognize our police officers.

I presume that you will have a follow-up question. So far as the naming of highways is concerned, it is the responsibility of the Ministry of Transportation, and so I would suggest that perhaps the member may want to address his follow-up to the Minister of Transportation.

**Mr Bartolucci:** I don't think that answer is satisfactory to the Police Association of Ontario or to any police officer. If you are committed, as you say you are committed, this is a simple act. You can do it by way of order in council, as you know. You have never, ever done that. That is the reason for this bill.

Mr Solicitor General, the reality is that Sergeant Rick McDonald was killed 12 feet away from an overpass. Constable Joe MacDonald was killed hundreds of yards away from the Lasalle Extension. What we are asking for is very simple. We believe there should be lasting tributes for police officers. Will you give your undertaking and your assurance to the Police Association of Ontario, the Ontario Provincial Police Association, in fact all police officers in the province of Ontario, that you will ensure and your government will ensure that this bill receives second and third reading, along with royal assent, before we break at Christmas?

**Hon Mr Turnbull:** I'm very sad to see this member playing politics with a very important issue. This is the party, the Liberals, that spoke out against the expense—they didn't want the expense of building a police memorial. It is absolutely outrageous—

*Interjections.*

**The Deputy Speaker (Mr David Christopherson):** Stop the clock. All right, please come to order.

*Interjection.*

**The Deputy Speaker:** Member for Kingston and the Islands.

Stop the clock. Solicitor General, you have the floor.

**Hon Mr Turnbull:** I actually believe it was Mr Colle and Mr Caplan who in fact spoke out against it. In point of fact—

*Interjection.*

**The Deputy Speaker:** Stop the clock. What is the point of privilege?

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: The minister is talking about playing politics and saying that I opposed the police monument. I never did such a thing.

**The Deputy Speaker:** That is not a point of order. Take your seat. Take your seat immediately.

*Interjections.*

**The Deputy Speaker:** The House will come to order. Stop the clock. Solicitor General.

**Hon Mr Turnbull:** I believe it was also the Liberal government, when they were in power, that refused to go to the funeral of a slain officer.

*Interjections.*

**The Deputy Speaker:** Order. Stop the clock. The House will come to order.

New question.

### COMMUNITY HEALTH SERVICES

**Mr John O'Toole (Durham):** My question is to the Minister of Health and Long-Term Care. Minister, on your visit to Rouge Valley Health System in Scarborough on November 14, you announced that the hospital will be the site of a stand-alone angioplasty service, to be up and running by April 2002. Granting Rouge Valley Centenary the stand-alone angioplasty service will lead to dramatic improvements in quality of cardiac care in Scarborough East, and in fact in points east of Scarborough. Minister, can you please confirm your announcement of a stand-alone angioplasty service at the hospital and provide the members of the House with further details about the government's timeline for implementing this very significant advance in cardiac services?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member from Durham for asking the question. I was in a position last week to announce, and I wish to share with this House, that this government is committed to providing the patients in the Rouge Valley Health System with the first pilot stand-alone angioplasty program. I have directed the ministry to work with the Cardiac Care Network and Rouge Valley Health System to implement this stand-alone program.

The honourable member is right; we have some clinical requirements that we have to work through. I am confident that we will. According to our estimation, we will have the program in place by the spring of 2002,

with the terms of reference being established early in the new year. That is good news. It means access to quality cardiac services, which is a top priority of this government, and we will continue to make similar investments so the people of Ontario have the assessment and the care and the treatment they require.

**Mr O'Toole:** Thank you for that, Minister. I, along with Phil Diamond and other members of the community, applaud your initiative here. The stand-alone angioplasty program is one of the many initiatives this government has made to enhance services not just at Rouge Valley Health System but indeed across Ontario. Can you please expand on some of the other announcements you have made recently, in fact in my riding of Durham?

**Hon Mr Clement:** I should incidentally state for the record that the member for Durham, the member for Scarborough East, the member for Pickering-Ajax and other members on this side of the House have been very relentless in their advocacy for the angioplasty program. Of course, at that time I was also able to see the placement of the new MRI at the same institution.

I can say that on the same day that I attended with the honourable member in Bowmanville, we were able to also announce a hospital on-call agreement with the local physicians to ensure access to quality emergency services in that hospital for extended periods of time, with remunerated staff according to the amount of effort they were putting into that, which was also announced on the very same day. The honourable member attended with me. It is another example of our ability to place the resources that are available to us through taxpayers' money for these kinds of investments in our local community. Again, the honourable member from Durham is doing his job as a local member to ensure that health care is looked after in his community.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Deputy Premier. Today you will be aware that I sent a letter to the Premier with evidence of his involvement in the Ipperwash situation. He has said to the Legislature that he gave no direction, gave no influence, left it entirely to the OPP. The evidence that I sent to the Premier today shows that on the day of the shooting he met with 14 people, including an OPP inspector and an OPP sergeant. He told that meeting that he wanted the protesters removed in 24 hours. The Deputy Attorney General argued against rushing in, but according to the evidence we have, the Premier and Minister Hodgson came out strong, and when the OPP found out what was happening, they were caught off guard and said that's not what they wanted; they wanted more time.

My question to you is this: with this clear evidence that contradicts the Premier's statement, will you now agree to do the right thing and call a public inquiry?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I'll refer it to the Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** As we've talked about in this Legislative Assembly on numerous occasions, usually on matters raised by the very same member, there is a pending court case. There is a court case that will ultimately be adjudicated by an independent, impartial judge. All of the evidence will be placed in front of that judge. Ultimately that individual, he or she, will make a decision. It is not for any member of this assembly to make that decision. Members in this assembly, including the member who posed the question, are motivated by a political agenda. The judge who ultimately rules in this case is not so motivated. The judge will be independent and will be impartial and I, for one, look forward to having the matter placed in front of that judge so that we can get a decision from an independent, impartial individual, not from the member opposite, who is attempting to advance a political agenda in a very serious matter.

1500

**Mr Phillips:** The brother of Dudley George, Sam George, is here in the gallery today. He has begged you to drop the civil case and to call a public inquiry. Tomorrow, the Premier will appear in private. We will not have access to this. He will have three days of discovery. None of the public will see or hear about that, all done behind closed doors.

The Premier has spent \$700,000 on outside lawyers attacking the George family's case. This is not a fair fight. The province is using millions of dollars of tax money fighting the George family. The Premier tomorrow, behind closed doors, will be giving testimony that should be done in a public forum, just like Walkerton.

So I say to you again, on behalf of the Premier will you do the decent thing? Stop dragging the George family through turmoil and bankruptcy. Will you do the appropriate thing, drop the civil case and call a full public inquiry so we can finally get at the truth about what happened at Ipperwash?

**Hon Mr Young:** Let's be perfectly clear. The civil case was instituted by the George family. It is not for the defendants to drop the case. It simply is not that simple.

The other thing that needs to be said loudly and clearly is that there is nothing sinister, nefarious or untoward about a matter being in front of the civil courts of this province. It happens every day. Litigants from across Ontario turn to the civil courts of this province for a decision in matters in dispute.

But somehow or other, and likely because my friend is trying to inject some political agenda, some political purpose into this very serious matter, he wants to remove it from the civil courts, in spite of the fact that the matter is well advanced and that it is going forward to an examination for discovery, which is an appropriate pre-trial procedure where the parties will be examined under oath. By the way, in this instance, the matter has been placed in front of a judge for case management at the request of the defendants. The judge has ordered where,

when and how the discoveries are to proceed; that's what we asked to happen and that's what's happening.

But somehow or other, that doesn't agree with my friend's political agenda, so he objects to it on a regular basis in this Legislature. Let the defendants have their case and let them have their day in court.

### ROAD SAFETY

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Transportation. Last spring, Bill 33, the Outside Riders Act, was not passed as it lacked unanimous support for third reading. This bill would have increased road safety and helped to decrease the number of fatalities on Ontario roads. Why members of this Legislature who claim to have a social conscience would be against road safety is difficult for me to ascertain.

Minister, can you tell this Legislature and the constituents of mine who have lost sons in truck accidents what plans, if any, you or your ministry are currently considering to ensure that this piece of proposed legislation does in fact become law?

**Hon Brad Clark (Minister of Transportation):** I want to thank my colleague for his question. I want to commend the member for Northumberland for drafting this important piece of legislation. The bill was drafted in response to a terrible tragedy that took place in the member's riding. Recent studies have shown that people who ride in cargo areas of vehicles are 26 times more likely to be ejected than passengers riding in the cabs of the pickup.

Several provinces have now some form of legislation that makes riding in the backs of pickup trucks illegal. Ontario has the safest roads in Canada and the second safest in North America. We are hoping this House will support this bill and enable it to get past third reading this session.

**Mr Galt:** While we're on the topic of road safety, could you please explain what's being done on the issue of occupant protection in motor vehicles? Minister, we know that seat belts save lives, we know that air bags save lives, we know that improved vehicle design saves lives and we know that improved highway design saves lives.

What steps are you taking to ensure that occupants of vehicles are indeed protected on Ontario roads?

**Hon Mr Clark:** The very heart of this matter is seat belt use itself. Twenty-five years ago Ontario took a major step in improving road safety by becoming the first province in Canada to make seat belts mandatory. In 1986 it took another big step by making child seats mandatory. Have these laws made an impact? Yes, they have, where it counts most, on the roads.

On September 28 we launched our province-wide fall seat belt campaign with the support of police services. I can't say enough about the importance of buckling up properly, especially where children are concerned. I encourage everyone with children to spend the extra few

seconds before each trip to ensure your child is buckled in properly. It could mean the difference between life and death.

### CORRECTIONAL FACILITIES

**Mr Peter Kormos (Niagara Centre):** To the Minister of Correctional Services: When you announced the appointment of an American private for-profit operator of the Penetanguishene superjail, you talked about improving public safety. Today, after last weekend, the people of Penetanguishene certainly don't feel safe, because with less than 70 inmates out of the total capacity of 1,000, the American operator just doesn't seem to be in control. Are you prepared to admit today that it is wrong to turn Ontario public correctional facilities over to private American operators?

**Hon Rob Sampson (Minister of Correctional Services):** I'm prepared to admit today that what's appropriate for corrections in Ontario is to focus on results and to focus on safe, secure, effective and publicly accountable institutions, which is what we are trying to do across all institutions in this province, including the one that's brand new in Penetanguishene.

The member referred to an event that occurred over the weekend in Penetanguishene at the brand new institution that was opened just last week. What clearly happened, according to the on-site correctional monitor we have, the board of monitors of their local citizens and the individuals in the institution, is that the inmates, who came into a new institution, tried to test the limits of the security of that institution and tried to test the limits of the people who run it. Thankfully that operator followed the procedures set out in the contract and in our governing manuals that cover all institutions and the incident was dealt with, as it would have been dealt with, by the way, I say to the member opposite, if that had occurred, and it does many times, in publicly run institutions.

**Mr Kormos:** There were only 67 inmates out of what is intended to be, when it is full, 1,000, and on the weekend with only 67 inmates all hell broke loose, a riot over basic needs like blankets, heat and food. The deputy mayor of Penetanguishene has expressed grave concerns about the private American operator's ability to run that facility. If the operator can't do it with 67 inmates, how is it going to run safely with 1,000 inmates? How can the people of Penetanguishene feel safe when that capacity of 1,000 inmates is achieved with the American operator you've got in there now who can't handle 67?

**Hon Mr Sampson:** I say to the member opposite that not too many weeks ago we had many fewer inmates destroy an entire publicly run jail in Peterborough, to the point that we can't even open it again. That was a publicly run institution. Is that OK? Is it OK if it happens in a public institution? The answer clearly, if you ask any reasonable individual, is no. It's not OK if it happens in any of the institutions in this province, which is why we focus on how—I say to the member opposite, who is ideologically bent, that's why we have chosen not to go

there. That's why we focus on the results of institutions. We ask all operators—

**Mr Kormos:** Sixty-seven inmates.

**Hon Mr Sampson:** I'm sorry if the member doesn't want to talk about results and safety and security of institutions. We do. It's an important part in the operation of correctional services across this province that jails be safe, whether they're privately operated or publicly operated.

1510

## HEALTH CARE

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. Yesterday you responded to the parents of Joshua Fleuelling by assuring them that if their son had been in an ambulance today, the nearest hospital would have had to take him in. What you don't say is that for every new critical care patient that's taken in, someone else has to wait even longer. Telling hospitals that they have to take patients in when they're already full, I suggest to you, is no answer.

The crisis of hospitals stretched beyond their capacity just goes on and on. A week ago Saturday, a Scarborough woman pregnant with twins went into premature labour. There was no place for her in a Toronto hospital; there was no room for her in London; there was no room for her in Hamilton. She was airlifted to Kingston, where her babies are in care today. Minister, how will you reassure this young mother that everything is fine in Ontario hospitals today?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Clearly I'm not familiar with the particular circumstances the honourable member mentions. I can say, because the issue came up yesterday, to the family of Joshua Fleuelling that I believe his death was not in vain, that there are 30 recommendations with respect to that particular inquiry that relate to the Ministry of Health, and with respect to all 30, we are making progress on them. This includes a commitment for \$4 million annually for asthma prevention and management research.

With respect to the honourable member's question directly, we've got the new patient priority system that went into effect on October 3, so our hospitals can actually talk to our ambulance drivers, can actually talk to our dispatchers. Of course there are the new investments we've made to increase hospital capacity, including \$63 million on emergency service strategy, which includes new beds, new transitional beds and new flex beds, and new discharge planners and new regional coordinators.

The obvious answer to the question is that more has to be done, but I can tell you we have made great progress and great strides reinvesting in the health care system and in the emergency services system in this province.

**Mrs McLeod:** Minister, Ontario has the fewest acute care beds in the country. In Toronto, paramedics are waiting in hospital corridors for over an hour just to transfer the care of their patients to overburdened hos-

pitals. Hospitals are getting mixed messages from you about whether they're supposed to cut more services or run deficits, and that's just acute care hospitals. An independent review of long-term care in 10 jurisdictions put Ontario last in meeting the needs of residents in nursing homes and homes for the aged. Community care agencies are cutting services to the frail elderly and to people discharged from those overcrowded hospitals.

In the face of all this, you refused yesterday to rule out the possibility of making more cuts to health care to pay for your government's corporate tax cut. Your answer, as Minister of Health, is to say that you want to cut another half a billion dollars in taxes if you become leader of your party. You're supposed to be the Minister of Health. Why do you keep putting tax cuts as a priority over health care for people in this province?

**Hon Mr Clement:** Of course nothing could be further from the truth, but then we're left answering the honourable member's question when her leader does not know where he stands on these important issues. I can quote from September 22, five years ago, where he said at that point, "I am convinced there is enough money in the system. I don't think we're spending it as effectively as we can." When asked the same question this year, it's "More money, more money, more money."

Since he said that in 1996, we, as members of this government, have invested billions more dollars. Incidentally, they are 100% provincial dollars. They sit on that side of the House, married philosophically and strategically to the federal Liberal Party, which has cut and cut and cut again when it comes to health care spending, not only in the province of Ontario but throughout the Dominion of Canada. Shame on you, shame on your leader and shame on the Prime Minister.

## JUSTICE SYSTEM

**Mrs Julia Munro (York North):** My question is for the Attorney General. Your ministry is known for providing front-line justice services such as the prosecution of criminal offences and the administration of the courts. It is also known to provide support to victims through all stages of the justice system by introducing new programs, streamlining existing ones and expanding victim support programs. An example in my riding was a pilot for the victim/witness assistance program, now to be expanded to every court in the province over the next three years. Minister, can you tell the House how your ministry informs and educates the people of Ontario about these important services?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the member for her question, which is just another example of that member's deep concern about justice in this province. Let me say to you that my ministry has initiated and partnered in a number of public education projects focused primarily on family breakdown and domestic violence. We have produced a number of publications. We have arranged for personnel to be available in the

court and we have videos for participants in those sorts of very difficult court cases to view and to benefit from.

A couple of the examples have been well received, particularly by children who find themselves involved in domestic disputes or family breakdown situations. There is one entitled "Where Do I Stand: A Child's Legal Guide to Separation and Divorce," and the other is "What's My Job in Court?" which is an activity book that is provided to children prior to their taking the stand to testify.

**Mrs Munro:** Thank you for that answer, Minister. This government has proven its commitment to providing accessible support within the justice system for families in Ontario. To have an effective justice system and one that is accessible to its citizens, the Ministry of the Attorney General must not be isolated. Will you please tell the House how you and your officials work effectively with schools to bring legal education to young people in Ontario?

**Hon Mr Young:** Again, I appreciate the opportunity to discuss this very important project. Courtrooms and Classrooms is a program that was initiated by one of my predecessors, the current Chief Justice of the province of Ontario, the Honourable Roy McMurtry. It's a program that the Minister of Education and I have supported in many different ways. It's a program that contributes greatly to public education, particularly of teenagers. It allows them to experience what it is like being in court, as an observer in these instances, to understand what the jobs of the various participants in the court process are and to better understand just how the justice system works. It is essential that that understanding be there at an early stage and that's why I'm so proud to be a participant in this program that I referenced earlier.

#### HYDRO ONE

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Energy and it concerns the future of Hydro One. The minister will know that there has been an active discussion in at least one of our national newspapers over the last few days about an apparently vigorous debate now occurring inside the Ontario government about the future of Hydro One. My question to the Minister of Energy in this House this afternoon is simply this: what is your view and where do you stand as Minister of Energy about the future ownership and structure of what we now call Hydro One?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** I'm going to refer the question to the Minister of Finance.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** No decision has been made with respect to the disposition or possible disposition of Hydro One or of the other successor company, OPG. As you know, Super-Build, which I'm responsible for as minister, is tasked with looking at any and all opportunities for efficiency and effectiveness. We want to maximize efficiency and effectiveness for the taxpayers of Ontario. We continue

to look at all publicly owned entities to ensure that their level of efficiency and effectiveness is maximized.

1520

**Mr Conway:** I will agree with the minister that no decision has yet been made. My question to the Minister of Finance is twofold. First, what is your view as Minister of Finance for Ontario as to what the future ownership and structure of Hydro One should be and, second, given the fact that the Ontario government will make few decisions with such important consequences for Ontario citizens, Ontario business, Ontario electricity consumers, when will Ontarians and this Legislature get an opportunity to assess in some detail your government's future plans for this enormously important and valuable public asset that we know as Hydro One?

**Hon Mr Flaherty:** My view is certainly that we need to have the most efficient and effective operation, and not only in Hydro One but also in OPG. It's crucial that the people of Ontario are served well by those companies and by their successor companies, if any. We were looking at this issue carefully through SuperBuild. We're examining various alternatives. There are a number of possible alternatives. We're doing all of the due diligence work in that regard and taking advice in that regard from excellent sources of advice.

Once that process is completed, then I'm sure the matter will be formalized and we'll be in a position to offer a decision.

#### MCMICHAEL CANADIAN ART COLLECTION

**Ms Marilyn Mushinski (Scarborough Centre):** My question is to the Minister of Tourism, Culture and Recreation. Minister, we know that the McMichael gallery is a cultural icon and treasure in this province. In fact, I used to attend many school trips with my children when they were little to visit the McMichael gallery. We in my riding were all very concerned to hear that the gallery was seriously in debt about a year ago and that while attendance was down, expenses were up.

You can imagine that I was delighted when our government passed the McMichael Canadian Art Collection Amendment Act, 2000, to address these particular issues, and I'm wondering, Minister, if you could tell this House what progress the McMichael gallery has made since the passage of the legislation a year ago.

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I'm very pleased to report back about considerable success and progress at the McMichael gallery. Since Minister Johns, my predecessor, introduced the act, we heard the usual gloom and doom from the opposite benches, but in fact the results are quite the opposite of what we heard at the time.

Attendance is up, costs are down, the agency is back in the black and major exhibitions are attracting record crowds to the McMichael. Last year attendance was about 112,000 people. This year we're on track to surpass 125,000 people, a more than 10% increase in attendance.

The Carr, O'Keeffe and Kahlo exhibition was a huge success, with between 5,000 and 6,000 visitors coming per weekend to see that exhibition.

To quote Peter Worthington, who wrote in the *Toronto Sun*, the new CEO Vincent "Varga and the McMichael are on a roll. Every day the McMichael is crowded. A new board of directors under David Braley has revived the gallery." Good news.

**Ms Mushinski:** Minister, that is indeed very good news, and I'm very pleased to hear that the McMichael gallery is thriving. We can all be very proud of this provincial treasure.

Minister, I believe it's important that the McMichael success continues over the long term so that future generations can visit the gallery and learn about the development of Canadian art. Could you elaborate on how the McMichael was able to revitalize itself and what plans there are to ensure its stability into the future.

**Hon Mr Hudak:** Certainly a McMichael gallery in debt and in decline was no way to protect this Canadian cultural jewel. Bringing more entrepreneurship, a business approach to McMichael and encouraging new exhibitions have turned this around, as I said, already surpassing the 125,000 target in only eight months' time. In fact, in the past two years in addition, the province has supported capital improvements at McMichael, about \$2.7 million in total.

New initiatives like Art2Life, an integrated multimedia Web-based learning tool for grades 7 to 12, has 35 galleries participating; and certainly to those listening today, the current exhibition, *Traces of Colour: A Celebration of the Season*, going on until November, and the Carmichael and National Gallery of Canada collection running December to February.

Again, I want to congratulate the leadership of Minister Johns and the Mike Harris government, Braley and the board. Of course, it is home to Tom Thomson, with the Group of Seven and First Nations artwork like that of the Haida represented.

**The Deputy Speaker (Mr David Christopherson):** I'll take a point of order. Take your seat, please.

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: After checking Hansard yesterday and previous Hansard records regarding a discussion the Minister of Correctional Services had with me, he indicated that I, along with the Liberal caucus, voted against the pedophile bill. Quite clearly, that did not take place, and I would assume the minister would correct that record.

**The Deputy Speaker:** That is not a point of order. Start the clock again. The leader of the third party has the floor.

## RACIAL PROFILING

**Mr Howard Hampton (Kenora-Rainy River):** A question for the Deputy Premier. Last night, over 300 people came to our civil liberties forum at Toronto city hall because they are concerned about their freedom and about their security. Among those who came was Mr

Bhupinder Singh Dhanoa, a Sikh man who nine days ago was forced off his airplane flight because another passenger felt Mr Dhanoa was staring at him. This was pure and simple racial profiling, and he's been told that. Your government's security adviser, Lewis MacKenzie, says he is in favour of racial profiling, the same racial profiling that affected Mr Dhanoa, an innocent, law-abiding man.

Can you tell us, Deputy Premier, what is Lewis MacKenzie doing to protect Mr Dhanoa's right to security and the rights of all those Ontarians who today are being unfairly targeted because of their race or religion?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** To the Minister of Citizenship.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I want to assure the member opposite that his line of questioning is out of line. The Premier, as well as myself and several officials of this government, met with leaders of the Muslim community. The issues around racial profiling were clarified. The Premier has been very clear on this issue. In fact, I want to reassure the member opposite that under no circumstances is racial profiling an issue. It would appear, however, that there are some concerns being raised about racial profiling by the federal government at this time, and he may wish to raise that issue.

I have referenced in this House that one issue on racial profiling I've been able to uncover was that up until recently, the NDP Web site asked people what their ethnic origin was before they'd let them join the NDP. I'm pleased to see that as leader, you had that removed.

*Interjections.*

**The Deputy Speaker (Mr David Christopherson):** Hold on. We have a nice lineup of points of order. I'll start with the one I heard first, Don Valley East.

**Mr David Caplan (Don Valley East):** Thank you, Speaker. In response to a question from the member from Sudbury, the Solicitor General attributed comments to me which are untrue. If he had an ounce of class, he would withdraw them.

**The Deputy Speaker:** That's not a point of order.

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** This is a legitimate point of order, Mr Speaker. Earlier, when a Liberal member raised a point of order during question period, you had the clock stopped. I thought it was a rule of the House that Speakers would not stop the clock if points of order were raised during question period, and I'm looking for clarification.

**The Deputy Speaker:** I appreciate that. The reason I did that was that one of the important aspects Speaker Carr focuses on in question period—there are many, but one of them is to ensure that the third party gets their fourth question in if at all possible, if reasonable. We were down to final moments and it was one of the opposition parties, not the third party itself, that could have seen the clock expire, and they would have lost that question. Therefore, to ensure that didn't happen, I stopped the clock and took the point of order.

**Hon Mr Runciman:** Mr Speaker, I obviously don't want to debate this with you, but I think it should be raised with the House leaders. If that is the case, if that is occurring, I think the Speaker should ask for consent to allow them to have that final question. I have a problem with this game being played. Speakers in the past have quite clearly stated that this would not be allowed.

*Interjections.*

**The Deputy Speaker:** Hold on. The matter, of course, has gone now. I would suggest, if your House leader feels as strongly as you, that indeed they take it up at House leaders and convey any message they might have to the Speaker.

I have another point of order here with the Solicitor General.

**Hon Mr Turnbull:** Mr Speaker, the member for Don Valley East has suggested that something in my reply was incorrect. In point of fact, let me quote from a newspaper from September 25.

**The Deputy Speaker:** You don't have a point of order, Minister. Please take your seat.

*Interjections.*

**Hon Mr Turnbull:** He said it was a lie.

**The Deputy Speaker:** I didn't hear it.

*Interjections.*

**The Deputy Speaker:** Hang on. Order, order, order. What on earth are you doing?

*Interjection.*

1530

**The Deputy Speaker:** Just stop. If somebody said something unparliamentary, I didn't hear it. I would give them an opportunity now to withdraw it.

I'm not hearing anything. Therefore, there is at this exact moment—are you going to withdraw?

**Mr Caplan:** I never said anything unparliamentary.

**The Deputy Speaker:** All right. There's nothing out of order at this moment. Therefore, I would ask everybody to come to order. The time period for oral questions has expired. It is now time for petitions.

*Interjection.*

**The Deputy Speaker:** We almost got there. We're trying. A point of order here.

**Mr Steve Peters (Elgin-Middlesex-London):** I just wanted to make reference to the discussion of the police memorial. According to Hansard, on November 15, 1999—

**The Deputy Speaker:** That is not a point of order. Please take your seat.

Minister of Correctional Services on a point of order, I would imagine.

**Hon Rob Sampson (Minister of Correctional Services):** This might be a valid point of order. The member for Brant rose to draw my attention to my response to his question yesterday. I will now correct my record and stand corrected by his comment.

**The Deputy Speaker:** Thank you. That was a point of order; you're right.

We're now in petitions. I'm sure I have somebody with a petition. The member for Brant has the floor to present a petition.

## PETITIONS

### CRUELTY TO ANIMALS

**Mr Dave Levac (Brant):** A quick comment: I thank the minister of corrections.

The petition is to the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities and also strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I sign my name to this and support this petition.

### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition which reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees un-

restricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I will affix my signature to this petition.

#### FEDERAL HEALTH SPENDING

**Mr Garfield Dunlop (Simcoe North):** To the Legislative Assembly of Ontario:

"Whereas schedule 5 physiotherapy clinics provide the only OHIP-covered physiotherapy to people in need, like seniors on fixed incomes and others that do not have private health insurance coverage;

"Whereas the Ontario government is being forced to consider changes in funding to schedule 5 physiotherapy clinics because of the federal government's refusal to pay its fair share of costs for medical care;

"Whereas in 1985 the Brian Mulroney government paid 18% of Ontario's total health care costs, but today (2001) the Jean Chrétien government pays less than 14% of Ontario's total health care costs;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government continue to strongly insist that the federal government pay its fair share of medical costs, including schedule 5 physiotherapy."

I'll sign my name to that as well.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition here with in excess of 1,000 names that was presented to me by Roseanne Boucher of the London Transplant Gift of Life.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children,"—and individuals with transplants—"at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike

Harris government take immediate action to ensure these important health services"—such as the transplant program—"are maintained so that the health and safety of people throughout southwestern Ontario"—and the over 1,000 people who have signed this petition—"are not put at risk."

I am in full agreement and have affixed my signature hereto.

#### OHIP SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the assembly and it reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I have signed my name to this, and I agree with the petitioners.

#### TENANT PROTECTION

**Mr John O'Toole (Durham):** "To the Legislative Assembly of Ontario:

"Whereas we the residents of 145 Liberty Street South in Bowmanville wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville have invested considerable amounts of money in decorating, upgrading their apartments; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville were of the understanding that this was a rental property, not a condominium;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or

any other relevant ministry investigate these concerns to ensure that the residents of 145 Liberty Street South in Bowmanville can continue to rent their apartments."

I am pleased to support my constituents in this issue: Wilma Paul and others at 145 Liberty Street.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

It's signed by many people from Tilbury, Blenheim, Wheatley and Chatham.

#### DIALYSIS

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I have a petition which says:

"Whereas there is limited dialysis treatment available in the Cornwall area and the Cornwall dialysis clinic's waiting list continues to grow; and

"Whereas this lack of medical treatment forces dialysis patients throughout Stormont, Dundas, Glengarry and beyond to drive to Ottawa, Kingston or Brockville several times each week, even during dangerous winter driving conditions, to receive the basic medical attention and, at the same time, incurring unnecessary stress, cost and inconvenience; and

"Whereas the Minister of Health and Long-Term Care has been presented with a proposal that could drastically reduce the number of kidney patients that are forced to travel to receive this life-saving medical treatment; and

"Whereas the Minister of Health and Long-Term Care could temporarily increase the number of patients receiving treatment at the Cornwall dialysis clinic until such time as the dialysis unit at the Cornwall General Hospital is up and running;

"Therefore, we, the undersigned, petition the Legislative Assembly to ensure that increased patient treatment places are opened at the Cornwall dialysis clinic."

I've also signed the petition.

1540

#### HIGHWAY 407

**Mr John O'Toole (Durham):** It's my pleasure to present a petition on behalf of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region and the proposed routing, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa;"

"Whereas such routing will destroy completely five holes, and severely impact two additional holes effectively destroying the golf course as a viable and vibrant public golf course;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded public facility patronized annually by thousands of residents of Durham region," which may include my constituents and myself, "and the GTA."

I'm pleased to sign and support this petition.

#### CHILDREN'S MEDICAL SERVICES

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislature of Ontario:

"Whereas the recent events at the London Health Sciences Centre, where 18 programs have been lost due to funding shortages, and in particular, the Children's Hospital of Western Ontario, cause us to be concerned that we may lose medical and surgical subspecialty pediatric services for ourselves and our children;

"Whereas southwestern Ontario is a vital region of the province of Ontario that requires urgent access to pediatric subspecialty services and to travel to other children's health facilities in Ontario would result in serious personal hardship and risk to our children. Further, that families would not be eligible for travel grants similar to those provided in northern communities;

"Whereas we have greatly benefited from the expertise in pediatric care provided by Children's Hospital of Western Ontario over the years and we appreciate that we may not be apprised of all the reasons for these physician losses. However, our children deserve to continue to receive the pediatric subspecialty care from the London Health Sciences Centre and Children's Hospital of Western Ontario that our region has depended on for decades;

"Whereas the loss of these services will result in great hardship to the families and seriously endanger the health of our children, we look to you as leaders to address this issue immediately and thoroughly. These times of great

uncertainty about children's access to health care is a significant stress to ourselves and our families;

"Therefore, we, the undersigned, petition the Legislature of Ontario to demand that our government respond immediately to restore these critical services to the citizens of southwestern Ontario."

This is signed by a number of residents from Paincourt, Chatham, Thamesville, Wallaceburg and Wheatley.

### HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driver licensing fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to over \$2.7 billion in provincial gas taxes, and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with full paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

This is signed by a number of residents from Chatham, Oakville, Wallaceburg and Tilbury.

### OPPOSITION DAY

#### TAXATION

**Mr Gerry Phillips (Scarborough-Agincourt):** I move that the Legislative Assembly call on the government to forgo its \$2.2-billion corporate tax cut rather than impose any new cuts to health care services, public education, environmental protection or the introduction of new user fees.

**The Acting Speaker (Mr Michael A. Brown):** The member for Scarborough-Agincourt.

**Mr Phillips:** To begin debate on the issue of the postponement, delay or stopping of the corporate tax cut, I think everybody in Ontario is aware, and most dramati-

cally aware in the last few days, that we face a significant fiscal challenge in the province now.

We've been blessed over the last five or six years in Ontario and Canada. Indeed, North America has had an almost unprecedented run in terms of strong economic growth. Ontario's been fortunate to participate in that, I would argue heavily, because of the terrific increase in our exports to the US, but regardless.

But we are now into a different period. The government had predicted, if you look at the budget that was presented just six months ago, faster growth in the second half of 2001 and then a very buoyant 2002. That was just six months ago where the government based its plans on real growth next year of 3.5%.

The government has acknowledged, in a statement just two weeks ago today that was presented in Ontario's Economic Outlook and Fiscal Review, that growth next year, rather than the 3.5% that had been predicted, is going to be more like perhaps 1%. Two weeks ago the government said, "While we have some challenges next year, they appear relatively manageable." Then, in to me quite an amazing turn of events, just yesterday, or perhaps Sunday, the government said, "No, we've got a much bigger problem than we thought just two weeks ago." They talk now about a \$5-billion gap in their budget and the minister has been saying we have now got a \$5-billion gap to close.

If it's done on the expenditure side, I would just remind all of us—the budget in Ontario is about \$53 billion exclusive of public debt interest charges, which are relatively fixed—to find \$5 billion across the whole budget you're talking a 10% cut in the budget. If you exclude health care and find it everywhere else, it's about a 17% cut in the budget. So if in fact what we're being told by the government is true, that we have a \$5-billion problem, we have a very significant problem. I personally think the government is somewhat exaggerating the magnitude of the problem, but nonetheless we have, I would suspect, a \$2-billion to \$3-billion problem for next year.

Job growth in these two years, 2001-02, of about 320,000 jobs was what the budget was based on, 320,000 jobs over a two-year period. Now, just in the statement released two weeks ago, it's not going to be 320,000 jobs; it's going to be 120,000 jobs in two years. I'm using the government's projections. So suddenly we're going to see 200,000 fewer jobs in the province of Ontario. As a matter of fact, since this budget was presented in May, Ontario actually has lost 29,000 jobs. We've got 29,000 fewer jobs in Ontario than we had when the budget was presented.

**1550**

That leads to the key point in our motion, and that is that the government must make a decision on the corporate tax cut, to not proceed with it. I want to remind Ontarians that this corporate tax cut is not designed to get us competitive with our major competitors; it's designed to get our corporate taxes 25% lower than our major competitors. There's no doubt that our major competitors

now are Michigan, New York, Ohio, Pennsylvania, Illinois, Minnesota. This tax cut is designed to get us 25% lower, and I say, in the opinion of the Liberal Party and Dalton McGuinty, it is not a long-term sound economic strategy to say we're going to compete on the basis that we're going to have corporate taxes 25% lower than our neighbouring states, because I'll tell you what they're doing and what we have been trying to compete on.

I carry this document around with me. It's called *Doing Business*. It's an Ontario government document and it's the selling document of why companies should invest in Ontario. We all should read it, because it points out, in my opinion, the major reason that companies do want to locate in Ontario. It talks about "exceptional workforce," and it points out here that, "Ontario's workers are well educated. Sixty per cent of the 1998 workforce attended university/college, 30% earned diplomas/certificates." It points out that Ontario—well, they talk about Canada—"spent 7% of its gross domestic product on education. That was more than the United States, Japan, Germany, France, Italy or the United Kingdom." In other words, one of the key reasons that companies should invest in Ontario is because of the quality of our workforce, because of the quality of our education system, and one of the reasons the quality is there is because we've chosen to spend money on it.

Right at the start of this document it says—big selling point—"Ontario is also one of North America's most peaceful and secure communities, and our remarkable health and education systems are publicly financed and open to everyone." It goes on, in the cost section, to point out another enormous advantage of coming to Ontario. It says, "US manufacturers pay, on average, more than \$3,100 per employee for the kind of health care coverage provided by Canada's publicly supported system, whereas Ontario employers pay about \$540." In other words, we have a cost advantage of \$2,500 per employee in Ontario. And so I say, if indeed we believe these are the competitive advantages that Ontario has had to attract industry—to use the language in the government's own document, "our remarkable publicly financed health and education system accessible to everyone"—that, "Come to Ontario. Locate your plant here, because it will cost you \$2,500 per employee less on health care than it does in Michigan or Illinois or Pennsylvania," how is that possible? There's no magic to it. We have chosen to fund our health care system in a unique way. We've chosen to have in Ontario and in Canada a publicly funded health care system financed through no magic, primarily through taxes. We've chosen to impose taxes to pay for that.

We're all, I think, reasonable sensible people here. Tell me again how we are going to be able to compete long-term for our quality health care system and quality education system with taxes 25% lower than in the US. I come from a business background, as do many of the people here. I always believed that you compete by having a superior product at a competitive price. If you have an inferior product at a very low price, frankly in

my experience, you're not in business long-term. Yet, that's what the government has decided to embark on. They've decided on a strategy of saying, "Come to Ontario because corporate taxes are 25% lower"; but believe me, Louisiana, Arkansas and Alabama are all going to be able to duplicate that strategy, and we will undermine our health care and our education systems.

I think it is a huge mistake and it is an extremely costly one. I remind ourselves that the third-largest source of revenue to the province of Ontario, almost \$10 billion, comes through corporate taxes. I believe strongly that if we want to attract business to locate in Ontario long term, we should be selling them on the basis of this document: come to Ontario or build your business in Ontario because you will find an environment with a superior education and health care system.

I go back to the government's own document—my leader, Dalton McGuinty, referred to this today—because it says in this document already: "Our corporate tax rate for manufacturing is 5.3 percentage points less the average US rate." It's already 5.3% less than the US rates: US rates are 40; we're 35. We're already, on the manufacturing side, dramatically lower and we want to lower it dramatically more. On the general rates, we're at the US rates.

As we look ahead at how we are going to sustain our quality of life here—for all of us, and particularly the business community—I think a strategy that creates an environment in Ontario where we don't have quality health care and quality education is one that will discourage investment. I would go further. I think that the talk over the last few days about the serious problems we face with a \$5-billion gap also discourages investment in Ontario.

I might add that we simply exacerbate the problem when we proceed with a program to take a minimum of \$300 million of hard-earned revenue in the province and invest it in private schools at a time like this. It is almost beyond belief that at a time when the government said just yesterday, "We've got such a problem on our hands, a \$5-billion gap, that we're going to have to go back and look at everything," they said, "But I'll tell you two things we're not even prepared to consider: we won't even look at the decision to proceed with corporate tax cuts—\$2.2 billion—and \$300 million to \$500 million going into private schools"—which I think we'll find is desperately needed by our public schools.

On the corporate tax side, it's fundamentally bad policy to say, "This is how we've chosen to compete." I've often mentioned that when Tom Ridge was the governor of Pennsylvania I'd watch the commercials here in Ontario, and he'd say, "Come to Pennsylvania, because we have the best-quality education: we are graduating more engineers, more technicians and more science people. That's why you should come to Pennsylvania." We've chosen a bad policy. I appreciate that the government has this sort of mantra, as they say, "We'll just keep cutting taxes," but taxes 25% below the US make no sense to me, to our party and I think make

no sense to Ontario in the long term, coupled with the decision to put into private schools \$500 million that is going to be desperately needed by our public schools.

So I would urge the government to make the decision that they will not proceed with the corporate tax cut, they will not proceed with the \$500 million for private schools, and make that decision now, because it's clear from what the government is telling us that we have a significant and serious fiscal problem in the very near future.

As I say, I go back to the government's own documents where you look at the cost advantages we have here in Ontario already: \$2,500 per employee on health care savings, and corporate taxes on the manufacturing sector that are 5.3 percentage points below, not just 5.3% lower but 5.3 percentage points lower. The smart thing to do to protect Ontario for the future is simply to say, "This was a bad decision. Let's reverse it and get our fiscal house in order and make sure we are able to sustain our public education, our environment, our health care and our community services.

1600

**Mr Rosario Marchese (Trinity-Spadina):** I will be supporting the motion by Mr Phillips, the member for Scarborough-Agincourt. I would remind the viewers of this political forum that we obviously have an economic problem on our hands, something the Tories probably never dreamed would come. They hoped it wouldn't come, but it's here, and it's here for a while and we have a problem. I would remind the viewers of this political forum of that lunatic gesture they made a while ago where they decided to give away \$1 billion by giving back money that belongs to you, and they gave you two hundred bucks.

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** Is that parliamentary?

**Mr Marchese:** "Lunatic gesture"? Yes.

They gave you Ontarians \$200 back because, they said, it's your money. They never dreamed we would have a bad economy. Never could they anticipate that the Americans would somehow have a slowdown in their economy, and besides, the Tories were utterly convinced the tax cuts would simply prevent a recession from coming.

**Hon Mr Runciman:** "Lunatic" is trying to spend your way out of a recession. Remember that?

**Mr Marchese:** Bob Runciman, I'm coming to you. Don't go away.

In that context, Ontarians, New Democrats understand the cyclical nature of our economies, that sometimes the economy goes up and sometimes it goes down. We New Democrats got caught in that and the Tories—

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** What goes up must come down. That sounds like a Bob Rae one.

**Mr Marchese:** I'll have a song for you in the future, David. The Tories now are experiencing the economic slowdown, but they never dreamed it could happen to them because they hoped, of course—and hope is never

enough—that the income tax cuts they gave away, the billions, would simply prevent this recession. It didn't turn out that way. So they in their arrogance gave one billion bucks to make you feel good by giving you back \$200, and that one billion—there are a lot of zeroes after that one billion—is gone away for good. It cannot be retrieved. It is irretrievable. It's gone.

This government at the time said, "We don't need any extra money to put into education, health, natural resources, the environment, labour. We don't need any of that money, because oh, good God, we're going to get so much; so much will flow into our coffers." It hasn't turned out that way.

That one billion is gone, but this government doesn't stop at that. No. M. Flaherty, the illustrious M. Flaherty, you will have observed, those of you who watch this political channel, is incredibly obdurate, incredibly unflagging in his conviction—not ideological because he's not an ideological kind of guy—that giving more money by way of tax cuts to the corporate sector, and to other taxpayers, dare I say—he is convinced and impervious to any other suggestions—that those tax cuts will create the jobs.

But it's not the first time. In fact, citizens watching this program, he introduced tax cuts a while ago. He claims, M. Flaherty—and Mr Eves as well, who is coming back—that it's the tax cuts that created this buoyant economy, that the tax cuts created the jobs that we were enjoying for five or six years. Then I remind him and others that the federal Liberal government created jobs too. The federal Liberal government, which did not institute tax cuts as fast as you did, claimed that they too created this buoyant economy and they did so without cutting taxes.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Without running up a big debt.

**Mr Marchese:** And no big debt, simultaneously. To be equally fair, the federal Liberals later introduced tax cuts, corporate and individual, which I disagreed with. I disagree with the federal Liberals having done that and with the provincial Tories having done it much sooner. But both governments, provincial Conservative and federal Liberal, say they have accomplished this economic boom because they are in power. The Tories say they've done it because of the income tax cuts and the Liberals say they've done it because they're just great too but without income tax cuts at the time.

So how does it happen, how does it work? It works because, as we told them years ago—and the Tories used to laugh at us, they still do, when we said, "You were lucky because the Americans were doing so well economically." You said, "No, it's because of our policies, not because the Americans are doing so well." All of a sudden the economy slows down there and they have a problem.

Luckily—I don't say "luckily" because September 11 is something one wants to remember with any kind memories, because it's been a very sad experience. But they constantly refer to September 11 as having been the

factor that slowed down the economy. The economy was slowing down before September 11 but they will hook on to anything they can to blame the slowdown of the economy on something other than themselves.

So I say to you Ontarians, this government claimed that the income tax cuts and the corporate tax cuts would prevent a recession. I say to you it hasn't happened. The lunacy of this policy is that rather than the illustrious Mr Flaherty, the finance minister, slowing that problem down, holding on to some money that he needs, he is giving away \$2.5 billion that he doesn't have. The economy has slowed down, money isn't coming in, he still is giving money away that he doesn't have.

Of late, we heard the Minister of Finance say, "We have a cushion of \$1 billion. Don't you worry, Ontarians. We will protect you." A week later the Chair of Management Board says, "We're going to have to cut five billion bucks." Where did all that money go when we had a good economy? Where did it go? When you have a good economy you're supposed to have tremendous surpluses. You're supposed to keep it aside for the bad times. These people never saved any money; they gave it all away in income tax cuts to make you feel good. That has not prevented the recession. And now \$2.5 billion to the corporate sector that can never get enough from these guys. They can never get enough. They'll never be happy enough until they get more and more and they can squeeze more and more out of the Tory government so they can enjoy higher and higher profits.

They're going to take \$5 billion away and it's going to come out of education, out of social services that go to seniors and other vulnerable people. Two hundred million dollars will be cut out of child care that every man and woman needs desperately to have; \$200 million will be gone because there's no money in the kitty any more.

We told them in 1999, in that election, that New Democrats would roll back income tax. Why? Because we knew a recession would come down the line and that we would need money in our provincial coffers. We knew that, but oh no, the Tories were so blind—and still the illustrious finance minister is so completely blind—to the fact that we have an economy that's crumbling. He's giving money away that he doesn't have on the hope that somehow by giving more away, the economy will turn around. If it hasn't turned around in the last six years, it will not turn around by giving more money that you don't have.

In 1999, New Democrats unequivocally said we would roll back income taxes for those who had a taxable income of \$80,000 and up, which meant that we would tax people in the bracket of \$90,000 or \$100,000. We made that promise then. We were the only political party that was brave enough to say we could not afford to give away money that we didn't have. And we certainly can't do it in an economy where we don't have the money that people want us to hold on to for services that they depend on, that seniors depend on, that mothers and fathers need because they work and they need support from our

government to provide the child care they need to be in the workforce.

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We have schools that are crumbling and closing. We have a demoralized educational system that has been battered from the first day you people got into government. We have people working for minimum wage who simply do not earn enough to make a living, to live in this kind of society, particularly in the cities where earning \$6.85 an hour is simply not enough to have a decent life. We have a society that's crumbling in front of our very eyes and we have a finance minister who is so obdurate, impervious to the pleas of the opposition and to so many in society who are saying, "Please, you cannot cut any more than you've already done in a good economy."

You cut services in education, health, social services, environment and labour at a time when you had money. What will happen now when there is no money? How can you cut away five billion bucks and what will it mean to our society, to the services that we depend on, for you to dare take \$5 billion out of essential services that we need by giving the corporate sector and other individuals tax cuts that we cannot afford? A banker earns \$1.5 million, he gets \$120,000 back.

How can you Ontarians support a policy that gives more to those who don't need a cent and takes away from those who are in desperate need, and will now take more from those who are in desperate need because the government so blindly, stupidly is giving our money—your money—away? They're giving \$500 million more to private schools, money they do not have in the bank. They do that at a time when the economy is so vulnerable, slipping between our very hands, and they, ideologically, with the conviction of a M. Flaherty, are saying, "We will not bend. We'll stay the course."

M. Clement says, "No, we will give greater tax cuts," should he become the leader. Good God, hopefully he won't become the leader and give away more of our money that we don't have to those very wealthy individuals who are begging Conservative governments to give them more and more. We can't afford it.

Ontarians, we're in trouble. We need to change this thing around and we won't be able to do it by listening to this minister who says that decreases of our taxes on the corporate sector will create more revenues. It hasn't worked in six years. It simply will not work now that we have less money to play with than ever before. It isn't true. It's not there. They have to stop whining about the federal Liberal government not giving them enough. You have to stop crying like little puppies.

When you were in opposition you said to the NDP, "In a recessionary period, don't go crying to the federal Liberals for money." Now you, who have had a good economy for six years, whine day in and day out about how those Liberals at the federal level are not giving you enough money. How much more do you want in a good economy? I could understand in the bad economy that we had, but when you've had billions and billions of dollars in a good economy, that you should whine so much about

the fact that you need more and more is just pitiful. You look so bad. You look so pitiful.

I'm not disagreeing with the fact that the Tories and the Liberals at the federal level have cut our money, cut our share, particularly when we New Democrats were in government and had a serious recession. That was a time for the Tories to have said, "We stand up with you New Democrats and for Ontario to get our fair share from the Liberal government." I don't remember Harris on this side saying, "We're with you, Bob Rae." No siree. Now he and others whine like little children, saying, "Give us more and more and more." It's never enough. It's pitiful to see you doing that. Please stop and take back this corporate tax cut and save Ontarians from the looming disaster that is about to befall us.

**The Acting Speaker:** Further debate?

**Mr John O'Toole (Durham):** It's my pleasure to speak on the Liberal opposition day today. Just for those who might be viewing, Mr Phillips has moved "that the Legislative Assembly call on the government to forgo its \$2.2-billion corporate tax cut rather than impose any new cuts to health care services, public education, environmental protection" etc.

Clearly, there were questions asked today by the Leader of the Opposition, Mr McGuinty, which I think really do need to be repeated and revisited. If I look at the context of what Mr McGuinty was saying earlier today, it's that they simply have another agenda, and that agenda is not just to ignore the tax competitiveness issue, but in fact they would probably increase them. When questioned in many forums, it's clear that they've refused to recognize what their position is on the tax cuts this government has already delivered. They haven't admitted that they would roll them back—and everyone knows they won't—yet they voted against those tax reductions. You can't have it both ways. It's evident today that they still don't get it, I guess meaning they haven't got the courage of their convictions by recognizing that the economy today in large part is a result of the economic policies of this government.

Clearly, the economy of Canada, indeed of the world, is in a challenging mode. It's those very elements that require the kind of fiscal leadership that Minister Flaherty and our Premier are advocating.

What they're advocating is a return to the old ways. We've heard that repeatedly, that they've got the solution to every problem. What I hear them saying here in code language is, "Tax and spend." That is their mantra. That's exactly what they'll do.

The member from Trinity-Spadina often refers to the dilemmas that people find themselves in. There was no worse dilemma than when they were in government. He knows there's no possible way you can continue the regime of taxing to support services that you're unable to support in the general economy. I like to think we can summarize the whole debate by understanding a simple equation. It's sort of like, "Which came first, the chicken or the egg?" The equation I put to you for your consider-

ation is, "Which came first, the good economy or the good quality of life?"

It's evident that you can't have a good quality of life without a good economy. We're talking about an economy, like it or not, that is converging and becoming globalized, and in that sense and in that context must be very competitive. I know, having worked in business myself, in a small way, I would put to you, but nonetheless watching the larger picture—I am a modest-income person with five children, and I look at my constituents. They're all hard-working families, indeed members of the community. I look at that and try to understand it. If you tax—for instance, let's take the largest employer, General Motors. If we don't have the right property tax mix, the right capital tax mix or the right corporate tax or tax on emissions etc, those companies will simply move, because they have shareholders and their shareholders depend on a certain return on equity. If they don't have that, they move today. Capital is very, very mobile. Arguably, they could be moving to one of the closer jurisdictions, perhaps Mexico, where they have source plants and engine and other components today. In fact, I believe they have assembly plants there.

This whole convergence and streamlining is an important issue for one of the most important parts of our economy, the auto sector. If you're looking to advantage them, tax competitiveness, whatever that number happens to be, is a very important instrument for the government to encourage investment, thereby having the good economy with the jobs and social order so you can have the good quality of life. It's that simple. You've really got to look at it, yet I hear the other side relentlessly saying they have a solution to every problem. What it says to me is more money, more money for every problem.

There isn't anyone in this House who wouldn't want to re-examine continuously the priorities of health care, education and the environment, but at the end of the day, it's the taxpayer, the hard-working families, who are actually paying for it.

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I've found that if you look at the statistics in other jurisdictions of the world—take a country like Brazil. Not to be critical of Brazil or Brazilians, but their economy, Brazil and Venezuela, is in absolute chaos. Their monetary system is in some problem. Naturally there's no confidence for an investment climate. Naturally their whole quality of life is being threatened because they have no economy.

So I return to the very fundamental argument: which came first? You must have a strong, competitive, globally focused economy before you can ever consider having the strong quality of life, and in that I'm implying health care, education, the environment and social programs for the most vulnerable in our society.

I think our approach speaks volumes to tax strategies and being tax competitive. Clearly the numbers are there, and Mr Phillips would know that. There were pressures

when we were elected in 1995. We inherited an annual operating deficit of \$11.4 billion. That \$11.4 billion wasn't stopped immediately. We did have the following two years where there were still deficits. People should know that deficits and debts are simply deferred taxes. Some of them might be good investments, but for the large part they are forwarding taxes; the tax burden is being pushed forward.

I think there's great recognition of that in almost every province. Certainly the federal government, Mr Martin, is getting the same message. I think that's a compliment to Premier Harris and Minister Flaherty. We've got to be focused rather rigorously on the fact that you can't continue or return to an annual deficit pattern. That's certainly not on.

I heard today that their solution to every problem is to spend more money. Those pressures exist; they existed for the NDP, they existed for the Liberal government. And what did they do? They both, during their own times, doubled the debt. Let's repeat that. They had the highest revenues in the province's history—1985 to 1990—and they also increased the debt, doubled it. The same thing happened with the NDP from 1990 to 1995; they doubled the debt. In fact, they were trying to sustain a standard of living that the economy itself couldn't support.

Living in dreamland, never-never land, came to an end pretty much in 1993-94. There were a number of attempts by the NDP to stop the hemorrhaging of money. One of the plans was the expenditure reduction plan. I was a councillor at the municipal and regional level; I chaired finance at the municipal level. At that time, they put the expenditure reduction plan to the municipalities and all the partners to try to get them to freeze the expenditure side and to make them realize that they couldn't keep advancing borrowed money. You know, they were spending \$1 million an hour of money they simply didn't have in revenue, and the more they exacerbated that problem of failing revenue by increasing taxes to try to keep pace, the more investments and confidence—in fact, the whole economy was to some extent under threat as their bond rating and other indicators kept declining.

It is tough medicine, and no one here, on either side of this House, I might say, lacks compassion to help the most vulnerable. But every time I hear that they have a solution to every single problem, I honestly think it's code language for increasing taxes. So I think Mr Phillips's position and his argument—most of his numbers are completely wrong, and the following speakers today will refute his numbers on the amount of the corporate tax cut.

But Minister Flaherty to date responded that most of the impact of the tax implications for business tax and corporate tax—business tax affects mostly small businesses. These are very small, fragile businesses. These are families, in many instances, working hard. I think of my sister and her husband, who are a small business operator, and they are working harder than they ever

have just to keep the door open and to pay the bills. They need relief; otherwise their family jobs disappear, and the jobs of the two or three part-time people they have. To stand up here and deny that small business is the largest beneficiary of these initiatives of fast-forwarding these reductions in capital tax and business tax is simply wrong. In fact, it's my understanding that the total cost of the corporate component or the business tax component is something less than \$30 million next year. The \$2.2 billion is anticipated revenue.

Mr Speaker, you would understand that as businesses have difficult times, hopefully they're able to keep the doors open and keep the inventories fairly level so they don't have a lot of carrying costs, but I would hope they just don't close the doors. We see these as a stimulus to keep the doors open, to keep the people and to keep the machines running and the business operating to the greatest degree possible, taking a short-term loss not to lose their presence in the market. These tax measures were advanced to keep those small businesses open.

I heard the opposition today completely deny the importance of tax reductions for small business. They should speak with the Canadian Federation of Independent Business and other business leaders in the community: chambers of commerce, boards of trade. They are actually supporting many of these moves, and these people themselves aren't the corporate giants. Very little, in fact none, of the proposed \$5 million, I believe, in the corporate capital tax reductions—I don't actually have the numbers with me. But the capital tax reductions on the first \$5 million of capital—that's the factory, the building—is entirely a small business capital tax reduction.

So when they go at this thing as the corporate thing, most of the banks, as they know, are to a large extent federally regulated institutions. As such, I think Paul Martin—when they're talking about that type of working capital, there are all kinds of depreciations and other incentives to encourage investment. If you look at some of their tax measures with respect to RSPs and other ways of sheltering income, those measures federally are probably just as important to keep that working capital, that money, in this country.

Just on a little bit lighter note, I was reading a rather humorous joke today, and I hope nobody takes offence to it. It reminded me of the member from Trinity-Spadina's comments. The analogy of the cow in these jokes represents the economy, and it really describes a Liberal this way. The Liberal policy would be that if you have two cows and your neighbour has none, you feel guilty for being successful. You vote people into office who tax your cows, forcing you to sell one to raise money to pay your taxes. The people you vote for then take the money that they tax you, buy a cow, and give it to your neighbour, and you feel righteous.

Mr Marchese's point here, I think, more of the NDP policy: if I had two cows, they, the government, would take one and give it to your neighbour, and so there's no reward for performance.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** And they tax you back two cows.

**Mr O'Toole:** Exactly. Now, the other analogy here is the Conservative policy. Really, the logic of it all—it's tough medicine, making the right decisions. If you have two cows, the Conservative policy would be to suggest that you sell one, buy a bull, and start making progress to building a herd.

I don't think the policies of this government are given the complete respect. I just think there's a bit of humour in that, that there have to be ways of attracting and encouraging entrepreneurship, innovation. Those are the cultures that we live in, and if you don't have competitive tax regimes, whether it's the municipal level, the provincial level or the federal level, as Canadians our standard of living is going to suffer.

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But I want to put on the record some important background. When the Liberals came to power in 1985, the provincial debt was just over \$22 billion, but by the time they left, there was more than a 50% increase to \$36 billion. That was a result of their tax-and-spend strategy.

The next thing is, the NDP came into power in 1990, and during their years in office the debt increased another 50% and they ended up with something in the order of \$100 billion.

I guess the key is, it's important to summarize the accumulated debt. In 1996 and 1997—

*Interjections.*

**Mr O'Toole:** If you would listen, I'll explain. We still had an annualized deficit for 1996-97. That was as we slowed down the spending side, and that deficit did accumulate into the debt bucket. There's no question about it. That was always in the plan. You couldn't just stop the spending instantly like that. That grew to today's debt, which is in the order of \$110 billion. I will say this, though. For the first time ever, Minister Flaherty paid \$3 billion off the debt this year. That is saving millions of dollars in interest charges. The cost of servicing the debt today is over \$9 billion, that debt that was accumulated by the NDP and the Liberals.

I just want to make one other thing clear in case the record is read later, that we also took aboard a large problem, which was the old Ontario Hydro. The old Ontario Hydro, over many years of being ignored, I suppose, by the public and by government, had accumulated a significant debt, part of which was identified by the Macdonald commission as stranded debt. We also created this stranded debt by restructuring electricity transmission and distribution, and we put that approximately \$20 billion into a specific debt box on the financial statement, which accounts for \$110 billion of accumulated debt and an additional \$20 billion of what I call stranded debt or old Ontario Hydro debt, and there is a charge on the system to repatriate that debt.

I just want to be on the record as saying that the opposition parties, the Liberals and the NDP, certainly don't get it. The evidence is very clear that during our

first six years in office we have an additional 824,000 new jobs. I also think many economists have complimented this government's approach by increasing our bond rating, improving our bond rating. That is the most direct way they can compliment it.

But I want to be on the record finally as making sure the viewers today understand that the opposition once again are almost flip-flopping. This is according to Gerry Phillips, and this is from Hansard, December 5: "In my opinion, a key to our economic growth will be our ability to continue to attract quality people"—I agree—"who want to come to Ontario in the future. I might add that I don't think it's going to be as easy as it was in the past. World economies are doing well." That's the code line for competitiveness. He went on to say, "You watch Ireland and California: they are aggressively attracting people to move to Ireland and to California." Little did he know, or perhaps he didn't recognize—again, the Liberals don't get it—that those jurisdictions have had very aggressive tax policies to encourage investment. Without knowing, perhaps, he's complimenting this government's policies.

It is tough. The economy today is in a far better position. We don't have an annual deficit that we've had for 10 years. We have reduced the commitment to annualized debt payments, interest on debt, and I believe there's a plan within this government—it's in our policy document—to reduce the debt by \$5 billion over this term, and that is going to reduce taxes. When you reduce the debt interest, you actually have more disposable income to spend on priority programs like health, education and the environment.

But all of it comes back to having a strong economy so that we have a strong quality of life. You can't have it the other way around. The other side would like you to believe that magically governments just open up the cardboard box, pull out some money and put it into the program that the most recent demand has been about. It simply doesn't work that way. The NDP know it. The Liberals still haven't caught on.

The NDP, with all respect, had a very difficult time. Mr Laughren—the economy was going in the tank. The more they taxed, the more they took off.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: It may be of interest to the member that a quorum is not present.

**The Acting Speaker:** Is there a quorum present?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Thank you. The member for Durham.

**Mr O'Toole:** I'd just like to conclude, because Mr Miller and Mr Spina would like to speak, so I'll just quote one of my favourite economists. David Dodge, the governor of the Bank of Canada, recently stated, "It is clear that over the past decade we in Canada have done a lot to strengthen our economic fundamentals. Because of

this, we are now in a better position than we have been in a long time to weather the economic turbulence and to take on the new challenges.”

We have well managed with the Minister of Finance, Minister Flaherty, and this cabinet. It's not an appropriate time to ignore the signs on the horizon, but to have strong leadership that's prepared to make the difficult but necessary decisions is exactly what we need now. The Liberals certainly don't understand that. They want to return to the old ways of tax and spend. I'll be voting against this opposition day, and the people of Ontario I think feel the same way.

**Mr Bruce Crozier (Essex):** I just want to take a couple of minutes to point out several things. One is that if we take the government's theory to its extreme, then we'll eliminate all corporate taxes and we'll have all kinds of jobs. Well, we know you can't do that. I just wanted to make the point that they say the less the corporate taxes are, the better things get.

We know, for example, that the three main functions of an effective tax system are: (1) the collection of adequate revenues to finance the government's expenditure programs, (2) redistribution of income to improve fairness, and (3) the encouragement or discouragement of specific types of behaviour or activities, for example, job creation programs.

I'm afraid this government, by foolhardily going ahead with this \$2.5-billion tax cut to already profitable corporations, is going to affect the government's ability to provide for government expenditure programs. This is where I want to make my couple of points.

Today the Windsor-Essex Community Care Access Centre made an announcement commenting on the government's recent introduction of legislation that is going to take over complete control of community care access centres. The community care access centre in Windsor-Essex has a board of about 12 members who very well might be summarily dismissed. This board comprises representation from throughout the community, with a mixture of representation from clients, caregivers, consumers and representatives from fields of business, education, law, labour, health, social sciences and the francophone community. We know that community care access centres—and the Windsor-Essex county one is no different than many others across this province—have struggled with budgetary problems in the last few years. Because of this government's policies, people are being released from hospital who are sicker and have more complex care concerns than ever in the past. There are more frail and elderly in the province. Our population is simply growing.

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Yet what did this government do? It froze the community care access centres' budgets and said, “Notwithstanding that the need is growing, you're going to have to make do with what you have and what you've had in the past.” What happened as a result of that policy is that community care access centres and their boards and their communities started to speak out. This govern-

ment in particular can't have that. We know by their rules in this Legislature. You can't have anybody speaking out against this government, so they said, “What are we going to do? We'll take over the boards. We'll appoint the boards.” There will be people on those boards who will speak out only when spoken to and they'll speak out only on issues that the government wants them to speak out on. In fact, they're going to go one step further than that. They're going to appoint the CEO of the 43 community care access centres across this province. What the public should know about that is that it's a position in the range of, oh, probably \$100,000, so the government will be able to give to their friends a \$100,000-a-year appointment. Now, isn't that sweet? Do you think it'll do the community care access centre in my community any good? I doubt it very much. There's a great deal of concern about that.

I think it is foolhardy to go ahead with this corporate tax cut. With shrinking revenues and growing needs in the area of community care access centres, special-needs kids in our schools, it is a foolhardy thing to do. They should support this resolution.

**Mr Norm Miller (Parry Sound-Muskoka):** It is my pleasure to speak today on this Liberal opposition day. To remind those watching what it is about, it is a motion by Mr Phillips calling on the government “to forgo its \$2.2-billion corporate tax cut rather than impose any new cuts to health care services, public education, environmental protection or the introduction of new user fees.”

Right off the top, this motion is trying to mislead the general public by suggesting that there's a \$2.2-billion corporate tax cut planned when, in effect, that would be if it was used over the full five years and if the economy was booming. This corporate tax cut in the year 2002-03 would be as little as \$20 million.

Let me begin by reading an excerpt from a speech by John Cleghorn, the former CEO and chairman of the Royal Bank, that he gave to the Montreal Board of Trade about two years ago: “Higher taxation has diverted savings into the government sector that would earn high productivity returns for companies and society at large in free markets as companies invest in timesaving innovations, more and better equipment, greater knowledge, advanced skills and more efficient organizations. Higher taxation also hits living standards more immediately by cutting into what's left in our pocket at the end of the day to spend on our family and ourselves.”

Mr Cleghorn also talked about how the job-killing capital tax was affecting his industry. “Regulated financial institutions, banks, other deposit takers and insurance companies are the only companies in this country faced with a capital tax. This is payable even if they lose money. And Canada is alone in the world in imposing such a tax. Certainly none of our major competitor countries have one.

“But while the capital tax is unique, Canadian financial institutions are not alone in facing higher taxes than our international competitors.”

Mr Cleghorn was correct when he said that high taxes are a burden for all Ontarians and businesses. However, capital taxes are imposed on general corporations as well, not just financial institutions. In fact, there are some 11,000 small businesses that will pay no capital taxes when the \$5-million capital tax threshold is put into effect.

Since this government began cutting taxes, tax revenue has increased by nearly \$15 billion in this province. Ontario has led the way in cutting taxes, and governments in other jurisdictions are now following suit. Governments in other provinces and other countries have witnessed the effects of lower taxes on job creation, economic growth, consumer confidence, competitiveness and investment and have admired Ontario's growing prosperity.

Continuing to cut taxes now, after the tragic events of September 11, is a clear indication of our commitment to maintaining the successful economic course that we embarked on in 1995 and that the people of Ontario endorsed in 1999. It demonstrates our faith in the tremendous growth potential for our province as well as in the entrepreneurial spirit and productivity of Ontario workers.

Canada currently has one of the highest corporate income tax rates in the world. This is very different from what the member for Scarborough-Agincourt was saying when he suggested that these tax cuts will make us 25% lower than all other jurisdictions. Ontario is just taking measures to make our taxes competitive. We're doing that because Ford doesn't have to necessarily locate a plant or keep a plant going in Ontario. They can run the same plant in Michigan or in Mexico, so we must be competitive and give long-term stability so that they can plan and make investments and know that they're going to get a return on the investments.

Many of the countries that have enjoyed the strongest growth in standards of living in the past decade have cut their corporate tax rates to levels far below the Canadian average, which is why we introduced Ontario's Edge in this year's budget: to help both small businesses and large corporations in the province remain competitive in the international marketplace. I can certainly tell you that in Parry Sound-Muskoka, where 80% of the business is small business, tax cuts are definitely something that is a real plus for the businesses. From my own experience in being in small business, I can tell you that tax cuts in most cases get reinvested into the business and help make the business stronger and more productive.

Ontario's Edge is a package of taxation initiatives and transportation and environmental infrastructure projects aimed at keeping Ontario's corporate and small business sector strong and encouraging new businesses to set up shop here.

We have chosen to accelerate our corporate tax cuts to send a message: Ontario is open for business. Cutting corporate tax rates builds on our goal of making Ontario the best-performing economy with the highest quality of life in North America.

We have legislated the full schedule of corporate income tax rate cuts each year from now until 2005. By 2005, no Canadian province will have a lower general corporate income tax rate, which will make the province a prime destination in North America to do business. Lower corporate tax rates will encourage companies already here to invest in more facilities and will attract other companies that may not yet have operations in Ontario.

I think back to when my father was Treasurer of this province, I believe it was around 1980, when times were pretty tough in Ontario. I was in small business, in the resort business, at that time. He brought in a small business tax holiday, I believe it was three years, and I can tell you from my experience with that three-year small business tax holiday, virtually every dollar of the tax savings we had got reinvested into our resort business. It got reinvested into necessary improvements to keep our business competitive. It got invested into new cottages. It made the whole long-term viability of that business that much more sound.

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The tax cuts we have already put in place have created much stronger rates of job creation than the rest of Canada in the last five years. Since September 1995, the Ontario economy has created 824,000 net new jobs.

The accelerated corporate tax cuts that we're proposing would free up \$116 million in saved taxes, including capital tax, for businesses to reinvest and keep workers on the payroll.

We're proposing to reduce the general corporate income tax rate, effective October 1, 2001, to 12.5%, the manufacturing and processing rate to 11%, the small business rate to 6%, and the small business income threshold would be increased to \$280,000. As I previously mentioned, 80% of the business in Parry Sound-Muskoka is small business and it's very important to the livelihood of our area.

When we introduced our budget this spring, CIBC's economics division released a provincial budget analysis. They support this government's decision to cut taxes. "We strongly endorse the province's efforts to reduce corporate taxes and eliminate capital taxes to improve Ontario's long-term competitiveness and attractiveness to investors."

The C.D. Howe Institute also released a report last week on taxing business in the province. Here's what they had to say: "All in all, the costs of corporate taxation are sufficient to persuade most economists that there is little, if anything, on efficiency grounds for corporation taxes and not much for most taxes on business in general. On the contrary, there may be substantial economic gains from reducing or even eliminating most existing business taxes."

Also part of Ontario's Edge is the first step in eliminating the job-killing capital tax, as I previously mentioned. Based on advice from the business tax review panel, we have already begun to reduce the capital tax. The panel told us this tax serves as a deterrent to

attracting international investment. They also told us it is a cost of doing business that almost no other country imposes. A tax on capital discourages investment in capital, when more capital per worker is what is needed to boost productivity and living standards.

We have taken the first step toward eliminating this job-killing tax by removing it on the first \$5 million of taxable capital. This is also one of the steps we have proposed to accelerate to make this cut effective October 1, 2001, rather than January 1, 2002, as was originally planned.

The opposition would have you believe that the proposed tax cuts will only benefit large corporations. However, our proposed tax cuts would eliminate the capital tax for more than 11,000 existing small and medium-sized Ontario businesses, as well as benefiting larger firms that pay this tax.

In periods of economic slowdown, when businesses have to cut costs, the capital tax forces businesses to cut where they have flexibility. They have to cut wages, which is something we don't want to see them cutting. It is a potential job-killer. Businesses should not have to choose between paying taxes and paying wages.

TD Economics released a report last month on the status of government finances across the country. They agree that reducing capital tax in Ontario, and in the rest of Canada, can only help the economy.

"On a somewhat encouraging note, there were a few initiatives announced over the past year aimed at reducing the high rates of capital tax in Canada. These taxes, of which about two thirds are levied at the provincial level, are arguably the most damaging tax, since they effectively raise the cost of capital, impeding productivity and growth, and must be paid whether or not a firm is profitable."

This echoes Mr Cleghorn's earlier statement that capital tax is unrelated to profits, making it a fixed cost for businesses. They are burdened to pay this tax even if they don't make a profit.

We know that corporations are unwilling to invest where their businesses will face a high corporate tax burden. We know they are also unwilling to invest in places where their workers and executives will face an exorbitant personal income tax burden.

As announced on October 1, 2001, Ontario proposes to accelerate the personal income tax cuts previously scheduled to take effect on January 1, 2002. The opposition would have you believe that these tax cuts affect only the wealthy. The personal income tax cuts announced in the 2001 budget will remove another 75,000 people from the income tax rolls. That means another 75,000 Ontarians will not pay Ontario income tax. Ontario's tax cuts to date have already removed 325,000 people. Approximately 735,000 low-income earners will pay no Ontario income tax but will still pay federal income tax.

The highest percentage of savings will be concentrated on taxpayers with the lowest incomes. A family with two children dependent on one income of \$30,000 will pay

\$1,635 less Ontario income tax when these tax cuts are completed, which is a 100% reduction in Ontario income tax. That money will be in their pocket to spend and stimulate the economy and help create jobs. That same family will continue to pay \$2,140 in federal income tax, even after the proposed federal tax cuts.

In short, cutting taxes means people have more money in their pockets to spend as they choose. They can invest for their children's education or in future gains. They can spend more to buy a new computer or a new car. They can save more to buy a new home, get married or other substantial investments.

The proposed accelerated personal income tax cuts would distribute about \$60 million in additional tax benefits to Ontario taxpayers for the 2001 taxation year.

The Brookings Institution in the US put together a report on tax policy after the September 11 terrorist attacks. They stated, "Any individual tax cuts should encourage people to spend the funds, in order to boost the economy further."

In conclusion, I'm happy to be able to speak on this bill today. I believe the opposition party has been misleading us in terms of how much in tax cuts there really will be.

**The Acting Speaker:** You will have to withdraw the word "misleading."

**Mr Miller:** Thank you, Mr Speaker. I withdraw that statement.

The opposition may not want to believe this, but tax cuts really work. We are confident that our policies to cut personal and corporate income tax rates have been the main reason that Ontario's economy has performed so remarkably over the last six years. I know the member for Trinity-Spadina said that if it hadn't turned around in the last six years—what was his exact quote? "If it hasn't turned around in the last six years"—well, the economy has turned around in the last six years. I can tell you, having been in business, the last three years have been the best ever that I have experienced in the last 25 years being in business in this province. The economy has been doing extremely well.

Even in the face of potentially slower economic growth, our policies will prevail. Tax cuts will continue to help the businesses and people of Ontario.

Thank you very much, Mr Speaker, for the opportunity to speak on this this afternoon.

**Mr David Ramsay (Timiskaming-Cochrane):** I'm very pleased to get up and speak on this today. I'm going to give you a very different, I guess, spin on this, as we say in our business. This government really is in crisis, and the reason they're in crisis is that they've been governing and planning their budget process in a very reverse order, a backward way, if you will.

Most governments, as you know, would obviously decide what are the essential services that they need to provide for the people, and hopefully most governments, unlike this one, would do that in a consultative way. But that's not been the case. In fact, it's not only not the case, but they've done it in reverse order. What they do is

decide, "We're going to forgo so much revenue by tax cuts. We've got a schedule of reducing personal tax by so much over the next few years and then we've also got a schedule of reversing corporate income tax over so many years." Of course, this fall the Treasurer announced that he was going to accelerate that tax cut.

1700

What they've done is really govern in a reverse way. They've created a box for themselves, because the pressures for those essential services are still there for every Ontarian. Ontarians need proper access to health care, to doctors and nurses, to hospital beds and to long-term care. And, of course, their education system is in a mess.

We've known for at least a year that we were going into a recessionary economy, and I guess officially we now are in a recession. We all hope the economy bounces back soon. We don't want to be too pessimistic about that; we want to be optimistic about the future of our economy, which is strong and we will bounce back. But government revenues are shrinking, at an incredibly fast rate. It's not because of September 11. Obviously there has been an additional impact from the events of that day. But we knew last spring this was coming.

This government is still looking at this corporate tax cut, even now, when the Chair of Management Board has brought to the government's attention that they may be in danger of a \$5-billion shortfall of revenue, of what would be required to provide all these services the government has been providing to Ontarians over the last few years. Now they're going to have to look to very drastic cuts in the provincial budget.

When Dalton McGuinty, our leader, and Gerry Phillips, our finance critic, offer suggestions in question period, that maybe this might be the time to at least examine everything the government has at their disposal, including tax cuts, that this may be the time to put everything on the table and take a look at the full financial picture of the Ontario government—that would include all sources of revenue and all expenditures—the Treasurer, Jim Flaherty, consistently says, "No, we're going to keep going with this \$2.2-billion corporate tax cut and we're going to forgo that revenue for now."

I think a prudent government, a truly common sense government, would say, "Things have changed. We are in desperate times." Maybe for the Tories it's time for some desperate measures. For them, a desperate measure, which wouldn't be very desperate for us, would be to say, "We should forgo this \$2.2-billion corporate tax cut at this time, because the government needs the revenue so that we don't go into a deficit in order to provide these essential services for the people of Toronto."

That would be common sense; that would be practical; that would be a practical solution, a good start anyway, to this supposed \$5-billion problem. I'm not sure it is a \$5-billion problem. Governments like to inflate these figures and sometimes the opposition can get caught out on this and say there is this really big problem, and the government can come in and say, "Actually it's only a

\$2.5-billion problem." I think it's going to be something less than \$5 billion and something more than \$2.5 billion, I suppose.

What they're going to do now is force themselves to cut into the very essential services that Ontarians require. In the end that means probably more cuts to the health care system, even though they don't want to do that. The next big budget item is education, and boy, there's a system that cannot afford any more cuts. I was in five schools last week throughout the riding, speaking to grade 4 and 5 classes. I saw the paucity of school books in those schools and some of the rundown conditions of those classrooms. The mood of the teachers wasn't the very best. This should be the last time we should be making further cuts to the education system and I certainly hope they don't do that.

But where are they going to look? This is sort of a scary point. That's why we have brought forward this motion today, that the prudent thing to do right now would be to forgo that \$2.2-billion corporate tax cut. That would provide revenue the government can retain to provide these services. It would be the right thing to do. It would be the proper way of planning a budget: how do we find the revenue to provide for the services we require, rather than basically forgoing this revenue? Now it's starting to take the axe to all these services that are going to be required.

Of course, you don't think they're going to be consulting with the people when they do this exercise. They're going to be doing it in the back rooms here at Queen's Park, from on high, making announcements as to where these cuts are going to be, and anger another set of people in the province and deprive many Ontarians of the essential services they need.

I would just hope they put everything on the table. Some of the ministers, I understand, are saying everything should be on the table. I think that's the way it should be and I hope some of the more prudent ministers will convince the finance minister, when they have those discussions at their planning and priorities committee, that they need to look at all the resources the government has at their ability and at hand right now to get through this very difficult time.

**Mr Gilles Bisson (Timmins-James Bay):** I want to first of all congratulate the opposition caucus for having brought forward this resolution. It's an important debate that we need to have, because we came to Queen's Park this week with the anticipation, based on the rumours that we had been hearing, that the government was poised to make announcements this week about massive cuts in public spending yet again because of the slowdown in the economy. We know that the government is expecting to be probably in a situation where they're not going to hit a deficit this year. They're expecting about a \$700-million surplus by the end of the fiscal year for this particular budget. That's good. But what they're looking at is that because of the recession, the slowdown in the economy—and if it happens that the worst-case scenarios end

up becoming true, the government could be facing a \$5-billion deficit in the next year's budget.

That's a serious situation. I want to speak as a person who has some experience from having gone through government at a time of the worst recession since the 1930s. When we were elected in 1990, at the time we were told there was going to be a balanced budget, in fact that there would be a surplus. We got elected and we found out that Bob Nixon had not quite told the truth when it came to the finances of Ontario, that in fact there was about an \$8-billion deficit when we got there.

The point I want to make is this: nobody believed those figures when the budget was being made in the spring of 1990. Nobody believed that we would be in a position eight months later where the recession would be so deep and so hard that the worst-case scenario might actually come to fruit and that you might end up in a situation with a huge deficit. The then government, the Peterson government, said: "We're going to have a slight surplus of"—I think it was—"under about \$100 million." If the NDP had done nothing but follow the Liberal budget plan, we would have ended up with about an \$8.5-billion deficit.

So I want to say here and now, when the forecasters are coming to this current government and saying, "The worst-case scenario can be \$5 billion," I certainly hope it doesn't end up there. That is something that the province doesn't want to go through because it's going to mean a bunch of decisions will have to be made that, quite frankly, a lot of people are going to be unhappy with and most of which I will oppose. I hope that it doesn't come to bear. But the reality is, those numbers can be true. That's what I want to speak to.

If you end up in a situation where next year the recession goes even deeper and you end up in a situation of \$5 billion, it seems to me that the government has some choices to make. That's what we're trying to frame by way of this debate: which should be the choices that the government should make. One choice is that you could run a deficit, if there was not legislation in place that says you can't do that. The government can, by way of Keynesian economics, decide that it wants to spend more money in order to prime the economy, to get things working as far as the economy and protecting services. That's one choice. The government could do that. We know they're not going to because they passed legislation that says you cannot have a deficit Ontario among the current legislation that we have.

So the government is now left with two choices. Their choice is that they either go out and cut government spending and find a way to be able to offset the losses so that they can balance their budget, or they have to deal with the issue of revenue. This is what I want to speak to, because the government is now saying that it's going to try to have it both ways. I find that very difficult to take as a prudent, fiscal New Democrat. There is no way in my mind, and I think no way in the minds of most people, that the government should be trying to have it both ways. The government is saying, "We're going to

reduce corporate income tax by \$2.4 billion next year, and on top of that, if the numbers end up being that we're in a \$5-billion deficit, we're going to have to cut another \$5 billion from expenditure." As a fiscal New Democrat, I want to say that doesn't make any sense. You cannot be put in a position of trying to have it both ways.

*Interjection.*

**Mr Bisson:** A fiscally responsible New Democrat is what I'm saying.

You can't have it both ways. The government can't on the one side say, "We're going to cut taxes at a time when we're losing revenue," and at the same time say, "We're going to cut expenditures on top," because at the end it's a combination that is going to be the worst possible part of both worlds.

1710

Now, Minister Flaherty in his rhetoric says, "Oh, if we cut income tax, the economy is going to get primed and the economy will be so good that we'll get extra revenue and we won't have to make these cuts." That ain't the truth. That ain't going to happen. We already know the government has cut a number of income taxes over the last six years, for which they take credit. That's fair. But here we are, 27,000 jobs less now than when this minister took office, and the economy is going down the tubes. It tells us that it's not strictly the government of Ontario's income tax cuts that are going to be able to save us from the effects of what is a worldwide recession.

The point is, we are in a worldwide recession, and as the world economy and the American economy slow, the Ontario economy, with over 90% of its produced goods exported into the United States, is going to be in a position where we're going to lose economic activity because of that and hence we're going to have less revenue coming in. Basically, our economy goes the way of the American economy.

So I say the government has some choices. The government can choose to reduce expenditures or they can choose to cancel those tax cuts at the time that we're entering into this recession. Maybe when the economy is better, maybe when we're in a situation where the economy and the provincial coffers can afford it, we can look at trying to give income tax breaks to corporations, if that's what the Tories want to do. But I argue, as a fiscally responsible New Democrat, that it is not responsible to be trying to give an income tax cut of \$2.4 billion to the corporate sector at the same time that we're going to be forced to make possibly up to an additional \$5 billion in cuts to public services.

I would argue that what we need to do is to cancel those tax cuts until the economy is in a position that it can afford it. If you are really set on doing it, you should do it when you've got the money, not when you don't have it. You're trying to spend money you don't have. That's my problem in the approach. So I say you can save \$2.4 billion by not going ahead with the corporate income tax cut and use the \$2.4 billion as a cushion to not affect public spending when it comes to much-needed programs in Ontario. We all agree, New Democrats,

fiscally conservative Conservatives and Liberals, that programs such as health care, education, policing etc are important and that we need to preserve those programs, because we certainly know they've been cut severely over the past number of years. If we all agree on that premise, it means we've got to find the money somewhere to pay for them. So if we want to find the money, I'm suggesting one way we can do that is to cancel the corporate income tax cut that this government is so intent on going forward with.

I would say that it's not only myself who agrees. I thought it was interesting. Chris Stockwell, the Minister of Labour, who we all know is a potential candidate in the leadership race for the Conservative Party, yesterday in a press scrum was quoted as saying that he thought that quite frankly these tax cuts didn't make a lot of sense, especially in the current situation. I agree with Minister Stockwell. At least Minister Stockwell, I think, is looking at things from a bit more of a balanced view, that you don't do these kinds of things, first of all, when you can't afford them. And that's where we're heading.

So I would say to the government across the way, put the brakes on the corporate income tax side. The banks that made record profits last year and other corporations that have made profits can well afford to do without the income tax cut. It's not as if our tax base is not competitive with the American economy or the Quebec or Manitoba economies. In fact, our taxes are probably lower when it comes to income tax when compared to those other jurisdictions. So we don't need it in order to be able to compete with others. The Tories are just doing it because it's something they believe they should do. So I argue, not at this time. You should hold off. You should wait until the economy is in such a position that you can afford to pay for the tax cut, and only then should you go ahead and do it. I would argue that if you're trying to do something in order to stimulate the economy, there are many other ways that the government can actually do that.

With that, I want to thank the members for the opportunity to participate in this debate. I know our finance critic, Mr Christopherson, is looking forward to speaking in this particular debate as well.

**Mr Joseph Spina (Brampton Centre):** Thank you, Speaker. Maybe I'll get a microphone on in half a minute. There we go.

I am pleased to finish off the remaining moments of our portion of this debate on the opposition's motion.

I wanted to take the opportunity to springboard off a comment that my honourable friend from Timmins-James Bay made. His comment was, "You're trying to spend money you don't have." Oh, my goodness. This is a born-again politician. It is unbelievable. This from a member of the party that, when they won the government in 1990, were like a deer caught in the headlights of a truck. They appointed a very nice man, but he was a community college economics instructor, as the Treasurer of Ontario. He still believed in practising what many people, many economists, certainly in the academic

world, preached—being a business graduate myself—and that was that Keynesian theory stuff. What Keynesian theory said was that when you're in a recession, you deficit finance. Most governments did that, but the problem is that when you come out of that recession or when you begin to have positive quarters, you're supposed to pay back that deficit. That was the other half, and you know that, Speaker. Unfortunately, the only government that was doing that or that started to do that was ours when we came to power.

I wanted to remind the member from the third party that as a result of their economic practice, the deficit jumped in one year from \$6 billion to \$9 billion, just like that. Of course, they want to blame the Liberals. I think there was something about double bookkeeping in the books in 1990.

You know, I don't want to leave the Liberals out here. When David Peterson, running a very successful and strong economy through 1988 and 1989, very booming times—inflation was climbing, prices were climbing, people were making all kinds of money on capital gains. But the bubble was coming to an end. There was going to be either a burst or certainly a very quick decline. Economists called for it. What did David Peterson do? Instead of taking the boldness of managing through that, he called a snap election. He lost. He blew his opportunity, or he could have perhaps still been Premier. Nevertheless, he's not; we're now here today.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Given the shortness of time here, I want to frontload some key points.

We've got public education in some difficulty. Tuition fees for post-secondary have gone up 65% during the life of this government. We've got a very high percentage of our doctors leaving upon graduation. We know that half of them don't come back. The reason they don't come back is that they can make more money, they claim, to pay off exorbitant student debts. In terms of liquid assets, especially post-Walkerton, we've got municipalities waiting in desperation for some partnership funding assistance. This government has allocated less than \$50 million to that. With respect to CCACs and hospitals, 23% of the people in Hamilton's acute-care hospitals shouldn't be there. I can tell you the story of a disabled burn victim who was ready to be released from the hospital, but the family wasn't of means, couldn't afford the \$40 per day for the pain pump, and she remains in the hospital at \$812 a day. That's just bizarre. Why? Because the CCAC isn't allowed to fund that particular expenditure.

While I'm pleased to be into this debate, I want to just broaden it a bit if I can. I think politics is about how our values get reflected and how we make decisions about the distribution of goods and services and what have you. I believe a decent, responsible government is one that finds ways to share benefits and burdens for the good of all and encourages that we feel one another's pains and share one another's burdens.

If we insist on government supported by principle, directed by reason, designed to achieve the greatest good, we will reject the notion that the price of progress for the majority of us is government that forgets the rest of us, kind of a modern A Tale of Two Cities, where we have the lucky and the left-out. I don't believe government can do everything, but it must do more than simply taking care of the strong and hoping that the economic ambitions of some and charity will do the rest, particularly when we know that can't and simply won't work.

I've said before that I thought tax policy and spending ought to be targeted and triggered. I would repeat that advice to the finance minister again.

1720

**Mrs McLeod:** I'm pleased to have a few moments to contribute to this debate and to speak to the resolution as the health care critic for our party, because I'm absolutely appalled that this government is marching ahead, in fact that this government is accelerating a \$2.2-billion corporate tax cut for corporations when it's failing so dismally to deliver the health care the people of this province need, and it would take much longer than the three minutes I have to participate in the debate to outline all of the areas where the government is failing to provide essential health care.

Our hospitals are facing millions of dollars in deficits and are getting mixed messages from the Minister of Health as to whether or not they're supposed to balance their budgets according to the legislation the Minister of Finance, the same minister who's bringing us the \$2.2 billion in corporate tax cuts, is proposing where hospitals will have to balance their budgets regardless of the consequences for patients. That's one message. The other message from the Minister of Health is to say to hospitals, "Well, we don't expect you to be able to balance your budgets unless you have multi-year funding, unless you know how much you're going to have to spend," because he recognizes, it seems, that you can't plan to provide patient services if you don't know how much money you're going to have. But the Minister of Health says, "I can't deliver the multi-year funding to you, because the Minister of Finance isn't prepared to free up the funding. He's not prepared to tell me how much money hospitals are going to have this year." So hospitals are left in limbo, some of them trying to make extensive cuts to programs like the London Health Sciences Centre, others running huge deficits just in the attempt to keep their doors open to patients.

It's not that our hospitals are overfunded. We have the fewest acute care beds per capita anywhere in the country. We have the second-lowest number of nurses anywhere in this country. That's the record of failure on health care issues from this government.

The same thing happens if we look at home care agencies. Again, I can't recite all of the stories that every one of us hears in our constituency offices about the complete failure of this government to respond to the needs of the frail and the vulnerable and the sick seniors in our communities. I know in my home community, for

example, for the first time ever nursing services are not being provided when somebody is discharged from hospital. People will have to wait 20 days to get a dressing changed.

Long-term care: we heard today that Ontario ranks last in an independent review that was done of home care and long-term care in 10 jurisdictions. We rank last in terms of our ability to provide nursing and personal care to people in long-term-care institutions, homes for the aged and nursing homes. We know that only 10% of people in our long-term-care facilities are receiving physical therapy.

Rehabilitation: so often it is the service that makes a difference between people being able to function independently in their communities or being institutionalized, and we know that rehabilitation services are provided less and less with public dollars.

I know the Minister of Health is a believer in the tax cut. I know he believes not only in the \$2.2-billion corporate tax cut, but he in fact has called for a further half billion dollars in tax cuts, cutting the health levy that is specifically targeted to pay for the health care services people need so badly. The Minister of Health seems to say, "Let's have the tax cuts. Let's go that ideological route. If people want to get health care in this province, they're just going to have to pay for it. Let's go to private delivery and let's go to private pay as our solutions." I would argue that the priority for the Minister of Health, the priority for this government, should be providing essential health care to people, not providing a \$2.2-billion tax cut to the well-to-do corporations.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** This resolution this afternoon is about priorities the government should have. What my colleague Mr Phillips is saying to members of the government and what we're offering in debate today is that health care and services for people in the area of health, education, providing a quality environment in which our children learn, should be a priority, that our environment should be a priority.

I'm here this afternoon as well to talk about another priority. It has become evident in recent days that there is some question around the support that this government is prepared to offer child care in Ontario. Members of staff within the Ministry of Community and Social Services have been set on an exercise to consider reducing their operating budget by \$200 million. This will have a devastating effect on those people who provide child care services within the province. It will also have a devastating effect on family resource programs that provide such an essential service to families within communities that may not be able to access regulated child care.

So again, we're talking about priorities. This government has commissioned the document, the Early Years Study, where it was identified very clearly that investing in the early years, the years from zero to six, is critical, and yet now this same government is talking about or considering plans and options for removing dollars from

that very ministry that offers services to families in those areas.

It's about priorities. The government is prepared to consider removing dollars from child care and family resource programs so that they can provide a \$2.2-billion tax cut. I think it's absolutely unconscionable that while we hear the government talk about reducing expenditures in these key areas—health, education, the environment, the resources that it provides to families and to children in our province—there is no mention made about the possibility of reducing tax cuts. That's what this is all about. The discussion this afternoon is about priorities, and we hope that the government will reconsider theirs.

**Mr David Christopherson (Hamilton West):** I appreciate the opportunity to join in the debate. To reiterate, the motion before us reads, "That the Legislative Assembly call on the government to forgo its \$2.2-billion corporate tax cut rather than impose any new cuts to health care services, public education, environmental protection or the introduction of new user fees."

As far as it goes, it's a good motion. But it's also nice and Liberal safe. It's not exactly radical. The Liberal position is becoming very clear. What they want to be able to do is to keep the revenue that they now have in the government from imposed user fees, because they make reference to it here, they want to be able to keep that money, but they also want to be able to preserve the fact that they're big entrepreneurs too, they're capitalists just as good as the Tories are. So what they want to say is—and you're going to hear it over and over again—that the issue of competitive taxes already has Ontario 25% below the Americans.

It's a nice, neat, safe little position, because they don't have to take the argument one step further and they can continue to attack the government—and they sound an awful lot like New Democrats when they attack the government. But we all know that when they get there, they'll just govern like the Tories. If anybody has any doubts in their mind, take a look at Chrétien. He promised a huge alternative to that popular Canadian, Brian Mulroney. And what happened maybe two, three years into the Chrétien mandate? Brian Mulroney publicly congratulated the Chrétien Liberals on moving further and faster on his agenda than he was able to do while he was on watch. That's the same deal here.

So at the outset, let me say that, yes, we'll be supporting this, but it really doesn't address the immediate needs that literally hundreds of thousands, if not millions, of Ontarians are either experiencing today or they're about to very soon.

Why stick with just the motherhood issues of education, environment and health care? Those are obviously priorities. Even the Tories have said, when they go about their hatchet job, that they're not going to touch health care and education, which by the way means devastation everywhere else.

I'll return to that in a moment. They aren't talking about regulated child care. Isn't that just as important? It certainly is for those parents, particularly single-parent

families, for whom somewhere safe to take their kids is an absolute priority. The government's not doing anything about it; the Liberals don't mention it in their resolution.

1730

What about homelessness? When did that stop becoming a priority? Just because it's not on TV every day now—the war is what's on TV; our economy is what's on TV. Fair enough, but what happened to homelessness? What happened to the collective shame Ontarians felt when they saw on TV over and over again, Ontarians, in one of the wealthiest states in the world, living on a street corner in a box? The fact that a homeless person died a stone's throw from where we sit today, right under the window of the Premier's office, why isn't that a priority?

Boy, you moved fast enough on those corporate tax cuts. You accelerated those. That was the only thing you have talked about in terms of the economy since then. All the other things that matter to Ontarians and that you say you care about get nothing—out of sight, out of mind? If we don't think about it, they don't exist? How about all those hundreds of thousands of people who are on ODSP, or people on minimum wage who haven't had a wage increase—you got a wage increase; I got a wage increase; we got a wage increase. What about the minimum wage? It has not gone up one penny under your government. You say that affects competitiveness, yet with the engine that drives the boom we're just coming out of, the American economy, they raised the minimum wage twice during the last boom. The minimum wage in the United States is now higher than it is in Canada. Doesn't that count? For all your lofty discussions about wanting to step in and protect people from terrorism and a lot of the other horrible things that, yes, legitimately happened since 9-11, what about those people who are still living in poverty? It's not addressed by this government; it's not addressed by this resolution.

What about those people who are getting pink slips today, who are looking at Christmas in a few weeks saying, "How am I going to buy presents for my kids?" who are looking at the spring and saying, "How am I going to continue to pay the rent? Never mind that we were going to buy a new car, that we were going to go on vacation, that we had plans, that everything was looking wonderful, and now the bottom has fallen out and I don't know how I'm going to provide for my family in the next six months." What does this government talk about? Corporate tax cuts. Corporate tax cuts are not going to put one meal in front of one child, and you've got nothing else to offer?

I want to say that I don't see this resolution offering a whole lot more. This is more about positioning than it is about action, and people want action. I'll give you an example of action. It's not just the NDP in Ontario. There are other people, other parties, other governments that care about their populations. Quebec: I am not a fan of the separatist agenda, but the fact of the matter is that the Parti Québécois, the governing party in Quebec, is by and large self-defined as social democrats, again notwith-

standing the separatist agenda, in terms of how they approach things. Some of the most progressive legislation in Canada has come out of Saskatchewan with an NDP government, Manitoba with an NDP government, and in Quebec with the PQ. They just brought in a budget in the last few weeks. What did they do? They are building 20,000 new child care spaces after they have already got cutting-edge child care programs, at \$5 a day. It is supported widely in the province of Quebec. It is providing people with a safe environment to take their children.

**Hon Mr Jackson:** They pay people to have babies.

**Mr Christopherson:** I hear the Minister of Citizenship babbling away about something. I'm sure that he, his family and a lot of his supporters and friends may not need to worry about where they're going to put their kids while mom goes off to work. But the fact of the matter is that in Quebec they've identified it as a legitimate problem, done something about it and it is supported by the vast majority of the population as far as I can tell.

What else are they doing? Remember, so far, all this government has done is say, "We'll accelerate the corporate tax cuts that were supposed to take effect on January 1 and we are going to make it October 1." That's it.

What did they do in Quebec? In addition to the 20,000 new child care spaces, they're building 13,000 new affordable housing units and renovating 27,000 other units. Not only does that give people a decent place to live—and I would say through you, Speaker, to the Minister of Citizenship that in our area the statistics that are collected, and by the way include his community with ours, are some of the most frightening in the entire province in terms of waiting lists for affordable housing. Not one affordable housing unit has been built since this government came into power, not one. I would remind members of the Legislature that this resolution doesn't speak to that either.

In Quebec, they're going to do that. What impact does that have in this time when we are heading into a recession? Obviously, the first thing it does is it puts people to work. You don't have to have a PhD in economics to understand that if you're building 13,000 new affordable housing units and renovating 27,000 others, people are going to be working while they do that. This is a good thing. We don't hear that coming from either of the other two parties. In fact, the last time any affordable housing was built in this province was during the time of the NDP government. We built almost 50,000 units. We kept tens of thousands of construction workers employed during the deepest recession we had had since the 1930s. Nothing from them.

In Quebec, they're boosting the province's sales tax credit by \$250 million. Sales tax of course is paid by everybody. When you give a rebate in that area, it goes to everybody. Let's keep in mind that we don't even have a sales tax credit, let alone increase it. Again, at least they are thinking of measures that impact the maximum

number of people. Corporate tax cuts, accelerating them, aren't going to do that.

They're creating a new government agency to provide capital for fledgling business. By 2003, they expect to be granting \$100 million in either grants or loan guarantees. Nothing from them. What have they said to us in the past about this day that we've now arrived at, where we are in recession and where things are going to get worse? We were given assurances by none other than the Premier himself, who said, on April 20, 2000, right here, when he was under heavy questioning by the leader of the NDP, "As long as the voters of Ontario don't make the same mistake they made in 1985 and 1990 and elect big-spending, wasteful governments, there will not be a recession in this province."

I think we should call the Premier back in here to make another statement to order the economy to do what he said it would do, which is remain in buoyant times. We weren't going to have a recession. So why is it and how is it that the Chair of Management Board says we've got to carve \$5 billion out of public services? It wasn't supposed to happen.

You told the people of Ontario that if they could just withstand the pain of the cuts that you were making in the past, we wouldn't have a recession in Ontario; that all they had to worry about was keeping you in power because you had this magical formula where you cut the revenue of the province and that, in and of itself, was going to guarantee that the economy would stay buoyant. The Premier said last year there wouldn't be a recession, "No recession if you do what we say," and we say today we have to cut \$5 billion because of the recession. A little bit of a gap in credibility, one might argue, wouldn't one?

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Does anybody have any idea what \$5 billion in cuts looks like? I've been there. I've been at the cabinet table when cuts have to be made. That was back in the days when, literally, we were trimming fat, if you will, out of the system and we were making things more efficient. At the time, a lot of folks said, "My goodness, you people have gone crazy. You're wielding this huge axe and cutting expenditures." It was minuscule compared to what you've got now, and this is after how many other rounds of cutting?

You promised the people that if they supported you, they wouldn't be where they are today. You have to answer for that. You gave rich people the money of poor people and you said that would guarantee there would be no recession. The obvious happened: the rich got a lot richer and by all accounts the poor got a lot poorer, but today we're in a recession. There are words to describe what that is, but they're unparliamentary. You told people that if they went with your plan to give billions of dollars to people and corporations that already had billions of dollars, it would protect us from any kind of recession in the future, and all you had to worry about was never to go back to electing a Liberal government or an NDP government and everything would be wonderful.

Well, everything is not wonderful. There are people out there who are hurting. There are children who are hurting. There are people in dire need, and there are more coming. You told them it wouldn't happen, and when it does happen, what are you confronting people with? No action, save and except to cut another \$5 billion in public services. As long as you've got lots of money, you don't need to worry about that \$5 billion, just like you didn't need to worry about the last \$6 billion. But if you're like the vast majority of people in this province, you require that money for public services that you cannot pay user fees for. That's the whole idea of everybody putting a little bit of money in the pot and then collectively we can provide good public services, like police. Police are public services and so are firefighters, and so are child care workers, and they make a difference between life and death. Almost every other public service, in one way or another, comes back to the quality of life for the majority of people.

Yes, we'll support this resolution, but understand this resolution, and certainly this government doesn't go anywhere near far enough in dealing with the pain that's being inflicted on the families of Ontario.

**Mr Gerard Kennedy (Parkdale-High Park):** It's a pleasure to rise on this important resolution. This is, after all, supposed to be the chamber where members make up their minds: what do they stand for? What priorities do they have?

I would say to the member who just spoke, my friend from Hamilton West, that in fact there is something radical in this resolution, and what's radical about it is a government that needs to have the question put to them: would you make a bonus payment to the largest corporations in this province, one not required for competitiveness, one not required for jobs, but simply required to satisfy either ideology or rare political opportunism with certain elites? Would you make that decision over the fundamentals of what the people of this province require? I think it's illustrative just to know that it's that kind of radicalism that is taking the province closer and closer to the ditch economically and certainly has already brought us there socially, and a lot of other measures that people in this province hold important.

And it isn't possible, if we're to go by the members of the government party who have participated in this debate, to see any awareness of this on the government's part. They have been blinded by their convenient ideology. It has to this point served their political opportunism too well. The comic book revolution has no one on the other side able to understand its essential simplicity, its essential lack of reality. That reality is coming home to too many of the people who live in Ontario, the people who live in Ontario that this government is prepared to write off, and that they're particularly prepared to write off now as a number of them slink away to sinecures in the very corporate world that they want to pad the profits of.

The New York Times, the economic round table in the United States, says the last thing to do in the face of the

rec ... session is corporate tax cuts. This government is putting 85% of its available resources into large corporate tax cuts that no economist anywhere in the Western world would say is a beneficial measure, given the status of the economy in the Western world at this time.

And yet here we are in Ontario, this band of unthinking, insensitive, so-called Conservatives, unable to connect with the communities that sent them here. Because the communities that sent them here are saying, "You've already cut too much from education. You've already done a job"—as many of the members who have spoken have related—"that doesn't fulfill the basic essential requirements of what the people of this province expect." They expected you to live up to that promise you made not to interfere with the education of young people. And you've done that. You said you'd set a standard all across the province. Well, in Burlington and in Niagara and all over this province are students who get less. They get fewer textbooks and they get less by way of teacher attention because there are fewer resources available to make those schools possible.

It is conceivable that we would stand in this House faced with a challenging time, that we would have a government that is already expensing \$2 million a day. Rather than buy textbooks, rather than deal with special-needs kids, rather than deal with class sizes at the lower level and make kids successful, make the investments that an intelligently compassionate government would make, we have instead a dunderheaded approach that says, "We'll give the money away and cross our fingers." Because that's what a further \$2.2 billion means in terms of emptying the resources of this province and its capacity to deal with what's happening.

It's a reward. It's a bonus. It's gratuitous in the face of the circumstances. And it's insulting to the people of this province. It's insulting that the members opposite would stand there and not even have the courage to defend whatever hidden conviction there might be. If they're prepared to throw over the needs of most of the people of this province for a rare elite, they should say so. They should stand in their place and defend it. Instead, they'll slink in here, they'll vote and they'll ignore the people who really count.

**The Acting Speaker:** This completes the time allocated for debate.

Mr Phillips has moved that the Legislative Assembly call on the government to forgo its \$2.2-billion corporate tax cut rather than impose any new cuts to health care services, public education, environmental protection or the introduction of new user fees.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 10-minute bell.

*The division bells rang from 1748 to 1758.*

**The Acting Speaker:** Mr Phillips has moved that the Legislative Assembly call on the government to forgo its \$2.2-billion corporate tax cut rather than impose any new

custs to health care services, public education, environmental protection or the introduction of new user fees.

All those in favour will stand and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Dombrowsky, Leona	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	McMeekin, Ted
Boyer, Claudette	Gravelle, Michael	Patten, Richard
Bradley, James J.	Hoy, Pat	Peters, Steve
Christopherson, David	Kennedy, Gerard	Phillips, Gerry
Cleary, John C.	Kormos, Peter	Prue, Michael
Conway, Sean G.	Lalonde, Jean-Marc	Ramsay, David
Cordiano, Joseph	Levac, David	Ruprecht, Tony
Crozier, Bruce	Marchese, Rosario	Sergio, Mario
Di Cocco, Caroline	Martel, Shelley	Smitherman, George

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Amott, Ted	Harris, Michael D.	O'Toolé, John
Baird, John R.	Hastings, John	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob

Chudleigh, Ted	Johns, Helen	Snobelen, John
Clark, Brad	Johnson, Bert	Spina, Joseph
Clement, Tony	Kells, Morley	Stewart, R. Gary
Coburn, Brian	Klees, Frank	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascaona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tilson, David
Ecker, Janet	Maves, Bart	Tsubouchi, David H.
Elliott, Brenda	Mazzilli, Frank	Turnbull, David
Flaherty, Jim	Miller, Norm	Wettlaufer, Wayne
Galt, Doug	Molinari, Tina R.	Wilson, Jim
Gilchrist, Steve	Munro, Julia	Witmer, Elizabeth
Gill, Raminder	Murdoch, Bill	Wood, Bob
Guzzo, Garry J.	Mushinski, Marilyn	Young, David
Hardeman, Ernie	Newman, Dan	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 33; the nays are 53.

**The Acting Speaker:** I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 6:45 of the clock this evening.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tasca, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Prue, Michael (ND)	Hastings-Frontenac-	Dombrowsky, Leona (L)
Bramalea-Gore-Malton-	Gill, Raminder (PC)	Lennox and Addington	
Springdale		Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée		
Brant	Levac, Dave (L)	Kingston and the Islands /	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC)
Cambridge	Martiniuk, Gerry (PC)		Minister of the Environment / ministre de l'Environnement
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC)
Don Valley East / -Est	Caplan, David (L)		Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Dufferin-Peel-	Tilson, David (PC)		
Wellington-Grey		London North Centre /	<b>Cunningham, Hon / L'hon Dianne</b> (PC)
Durham	O'Toole, John R. (PC)	London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Eglinton-Lawrence	Colle, Mike (L)		
Elgin-Middlesex-London	Peters, Steve (L)	London West / -Ouest	Wood, Bob (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC)	London-Fanshawe	Mazzilli, Frank (PC)
	Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC)
Essex	Crozier, Bruce (L)		Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC)
	Minister of Labour / ministre du Travail		Minister of Correctional Services / ministre des Services correctionnels
Etobicoke North / -Nord	Hastings, John (PC)	Mississauga East / -Est	DeFaria, Carl (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC)
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC)		Minister of Natural Resources / ministre des Richesses naturelles
	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC)		
	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	<b>Baird, Hon / L'hon John R. (PC)</b> Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan (PC)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	<b>Harris, Hon / L'hon Michael D. (PC)</b> Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim (PC)</b> Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	Klees, Frank (PC)	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary (PC)</b> Speaker / Président	Stoney Creek	<b>Clark, Hon / L'hon Brad (PC)</b> Minister of Transportation / ministre des Transports
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian (PC)</b> Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thornhill	Molinari, Tina R. (PC)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Timiskaming-Cochrane	Ramsay, David (L)
Oxford	Hardeman, Ernie (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parkdale-High Park	Kennedy, Gerard (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Peterborough	<b>Stewart, Hon / L'hon R. Gary (PC)</b> Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	Vaughan-King-Aurora	Sorbara, Greg (L)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet (PC)</b> Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Waterloo-Wellington	Armott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim (PC)</b> Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Willowdale	<b>Young, Hon / L'hon David (PC)</b> Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

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Gilles Bisson, Alvin Curling, Gerard Kennedy,  
Frank Mazzilli, Norm Miller, John R. O'Toole,  
Steve Peters, Wayne Wettlaufer  
Clerk / Greffière: Susan Sourial

**Finance and economic affairs /  
Finances et affaires économiques**

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Doug Galt, Ernie Hardeman, Monte Kwinter,  
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Steve Gilchrist, Dave Levac, Norm Miller,  
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Bert Johnson, Tony Martin, Frank Mazzilli,  
Jerry J. Ouellette, Bob Wood  
Clerk / Greffière: Donna Bryce

**Justice and Social Policy / Justice et affaires sociales**

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Toby Barrett, Marcel Beaubien, Michael Bryant,  
Carl DeFaria, Garry J. Guzzo, Peter Kormos,  
Lyn McLeod, Tina R. Molinari  
Clerk / Greffier: Tom Prins

**Legislative Assembly / Assemblée législative**

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Vice-Chair / Vice-Président: Julia Munro  
Ted Arnott, Marilyn Churley, Caroline Di Cocco,  
Jean-Marc Lalonde, Margaret Marland, Julia Munro,  
Jerry J. Ouellette, Joseph N. Tascona  
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**Public accounts / Comptes publics**

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Vice-Chair / Vice-Président: Vacant  
Bruce Crozier John Gerretsen, Raminder Gill,  
John Hastings, Shelley Martel, Bart Maves,  
Julia Munro, Richard Patten  
Clerk / Greffière: Tonia Grannum

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Règlements et projets de loi d'intérêt privé**

Chair / Président: Rosario Marchese  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

**Alternative fuel sources /  
Sources de carburants de remplacement**

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Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

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Tuesday 20 November 2001

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Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

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Tuesday 20 November 2001

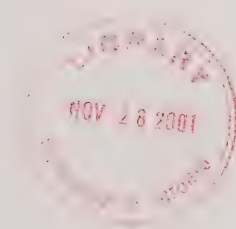
Mardi 20 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 20 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 20 novembre 2001

*The House met at 1845.*

**Mr Michael Gravelle (Thunder Bay-Superior North):** On a point of order, Mr Speaker: I don't believe we have quorum.

**The Acting Speaker (Mr Michael A. Brown):** Is there a quorum present?

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Orders of the day.

### ORDERS OF THE DAY

#### ONTARIANS WITH DISABILITIES ACT, 2001

#### LOI DE 2001 SUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Resuming the debate adjourned on November 19, 2001, on the motion for second reading of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / *Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.*

**Mrs Julia Munro (York North):** Mr Speaker, I seek unanimous consent to allow me to complete the time remaining for the member from Oak Ridges.

**The Acting Speaker (Mr Michael A. Brown):** Is there unanimous consent? Agreed.

**Mrs Munro:** I'm pleased to join second reading debate on Bill 125, the Ontarians with Disabilities Act, 2001. With this bill, the government is moving dramatically this fall to increase independence and opportunity for persons with disabilities. We are keeping our promise. Persons with disabilities will now have more of a say than ever in decisions which affect their very lives. It is a very proud moment all around.

The one aspect of the bill that has not attracted much comment is the way it has engaged and involved persons with disabilities at each and every stage of its development: through the consultations, through the drafting and refining, and, most importantly, through the content of the bill itself.

This bill asks something of everyone in Ontario, including persons with disabilities. In fact, it would be true to say that the bill gives persons with disabilities an unparalleled opportunity to shape and mould change. For the first time in Ontario's history, we're putting the disability community into the framework of the legislation and asking them to be our partner in driving it. No one can quarrel with the goal: an Ontario in which no new barriers to persons with disabilities are created, and where existing ones are removed. That's where we're headed. We're not starting from scratch. We've got a solid foundation of programs, services and involvement, and we're moving ahead.

#### 1850

I ask members: why is it that this bill has received the support of so many prominent individuals and organizations representing persons with disabilities? Where is the almost universal opposition that greeted previous attempts to move the file forward? Why can't opposition groups get momentum? I would answer: because they have been outflanked and outworked by this government. From the beginning, Minister Jackson practised an engaging, inclusive form of consultation. He wanted to bring everyone along with him. He gave no guarantees, but he also said that nothing had been cast in stone. If someone was able to make his case for something being in the bill, then in all likelihood it would be in.

Let's look at the consultations. More than 100 groups and individuals met with Minister Jackson. Many of them were persons with disabilities, parents of children with disabilities and group leaders. This was a learning curve that began last February and hasn't stopped. The minister wanted to learn from individuals within the disability community across our province and from community leaders who had changed the lives of the disabled in a very meaningful way. Meeting these individuals and seeing first-hand the kinds of things that they had already done in their communities helped to formulate the framework that exists in this legislation. It is unique, but our model makes sense if you understand what we are witnessing across Ontario: the way the disability community in some municipalities has made some profound change.

We saw in the work that's been done an instrument to create permanent change and to elevate the very standard in every community in our province. We needed to engage the disability community and ask them how we would make that change and create a vision and a path from which we could develop the all-important legislation they have been awaiting patiently for many years. When the minister talked to these individuals and

listened to what they wanted to see happen in our province, it occurred to him that we all really share the same vision and the same goals. Simply put, people were asking for legislation that would do two things: create no new barriers in our province and create a plan whereby we would be able to systematically go back and remove all the existing barriers in our province.

There was another common thread that emerged from the consultations. Our stakeholders said, "You can't do this alone. You have to set up partnerships. You have to get different groups working with each other. You have to take advantage of the advances that are already taking place, spread the word, share best practices and build on that momentum."

For our part, we said: "Increasing accessibility is a priority. We're proud to lead, but we cannot do it alone. It's a big commitment, we're in it for the long haul and we're going to do this right. Let's learn from each other, because what we need is a coordinated, choreographed band of activity across several sectors to achieve the vision."

And thus was born the signature feature of the bill: the notion, accepted by all, that increasing independence and opportunity for persons with disabilities is a shared responsibility across all sectors and levels of society.

There are a number of municipalities and private sector organizations that have already been developing proactive approaches to ensuring that their communities are more inclusive and more accessible. This can only be done by engaging persons with disabilities.

The most valuable lesson learned was how powerful change could occur if the disabilities community was front and centre, was listened to, was asked for input and it was acknowledged and acted upon. Those communities that do it are doing a tremendous job and getting lasting results in which their entire community can take pride.

Look at our partners in the municipal sector. On their own, 16 councils have established accessibility advisory committees and 34 have passed resolutions calling on the province to make Ontario fully accessible.

Our legislation will work toward a barrier-free Ontario as soon as reasonably possible. That's what this legislation says. Do you know who is going to decide whether it's reasonable? The disabilities community who would sit on the Accessibility Advisory Council of Ontario working on the regulations and meeting with the private sector to say, "You tell us how you're going to become compliant with this legislation." That's power.

In addition, the Accessibility Advisory Council, along with the creation of an accessibility directorate, would provide an oversight mechanism to review accessibility plans and ensure that barrier removal is taken very seriously in this province. The disability community has many members who deserve a voice. There are many people in this community who deserve a voice on these issues.

During our consultations, many businesses, municipalities and other organizations said repeatedly they wanted to do the right thing but that they didn't always

have the information and knowledge that enabled them to do so. As a result, good intentions often fell short of expectations; no longer.

Our bill proposes the creation of an Accessibility Advisory Council of Ontario which would report directly to the Minister of Citizenship. Entrenched in legislation, the new council would create a permanent, ongoing role for persons with disabilities. The council would bring together individuals, including persons with disabilities, who have the expertise, experience and knowledge to provide strategic advice to the minister. It would oversee implementation of the legislation. It would also be charged with the responsibility of monitoring and advancing the legislation and would provide annual reports on its activities.

The council would provide a long-term lens on accessibility issues to ensure continual progress toward an accessible Ontario over time. It would lever the support of all sectors, proactively encourage partnerships, advise the minister and government on disability issues and provide support for accessibility initiatives.

I can quote the March of Dimes president, "If we all work together, particularly governments and the private sector, persons with disabilities will no longer be on the sidelines but, rather, full participants."

I think from these few comments you can see why the passage of this legislation is important and certainly something that would be unparalleled in this province.

**The Acting Speaker:** Questions, comments?

**Mr Dominic Agostino (Hamilton East):** I listened with interest to the comments made by the previous speaker. First, when I look at this legislation, I look at this government's track record when it comes to the disabled. I look at the promise of six and a half years ago that they were going to pass a meaningful piece of legislation within the first four years. Obviously they failed miserably to do that. They come in two and a half years into their second mandate and bring in what is really a woefully inadequate piece of legislation that barely starts the process.

I'm interested that the member across the floor quote the March of Dimes. I wish she would maybe quote some of the other organizations, because since they have read the legislation, the vast majority of organizations that represent disabled people across Ontario have come out and slammed the legislation for its weaknesses, for what it doesn't do. This Legislature unanimously endorsed 11 principles of what an ODA should contain. Only one of those is in this bill. There's no real provision here for enforcement within the private sector, and then, as usual, instead of being serious and dealing with the real issues, what do they do? They go to the bumper sticker solutions: headlines, \$5,000 fines for parking in disabled spots. You know what? That's a bit of a problem in Ontario. If they're serious about that, put legislation in place—because most times I go to a mall, I don't see a problem with cars parked without stickers; what I see is those spots being full. Maybe bring legislation in that forces organizations and places to have more spaces

available for disabled people in Ontario. That's meaningful change, not simply this bumper sticker solution of a fine that a judge will never impose of \$5,000.

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Real change is needed. Real change is required. This government has failed miserably again when it comes to dealing with the disabled. Yes, they're going to ram this bill through against the opposition of the vast majority of organizations that represent disabled people in Ontario, but in two years we're going to take this bill, we're going to overhaul it, we're going to fix it and we're going to make sure Ontarians with disabilities are treated with dignity and respect, not with the contempt of this government.

**Mr Rosario Marchese (Trinity-Spadina):** I had an opportunity to listen to the remarks made by the member from York North. She started her remarks on this bill by talking about "moving dramatically" to deal with issues of people with disabilities, and I thought, "Moving dramatically, what does that mean?" I think she means that they are doing something extraordinary as it relates to people with disabilities, but we don't see that.

**Mr David Christopherson (Hamilton West):** It's not in the bill.

**Mr Marchese:** I don't see it. People with disabilities who have had an opportunity to review this bill don't see this "moving dramatically" bill and so I wonder what bill we're speaking to, because it's not the same bill that we are looking at. It can't be. After six years of moving dramatically on a bill, you would think they would have had plenty of time to listen to the people who are affected; they're still listening. She's saying they're in a mode to still listen to people with disabilities, after six long years. You move dramatically to then create a bill that says, "We still need to listen to people."

As it relates to the private sector, she says they're instructing the private sector to tell us what they think they should do to deal with issues of accessibility that they relate to people with disabilities, and she said, "That's power." That's power? Julia, please. You're saying to the private sector, "There's nothing obligatory that you have to do," and you instruct them to look at their plans and tell you what it is they should do and you say, "Wow, that's power." Maybe it's me, but I don't get it. They're not moving dramatically; they've moved at a snail-like pace to arrive with a bill that doesn't speak to the issues that they have been consulting on, and it's pitiful, I've got to tell you.

**Mr Christopherson:** Typical. Typical and pitiful.

**Mr Marchese:** Typically pitiful.

**Mr Christopherson:** Exactly.

**Mr Bart Maves (Niagara Falls):** I want to congratulate the member from York North for her comments and obviously the minister for the bill. One of the very important hallmarks of this minister in this portfolio and others he's held is how consultative he is. He spent quite a bit of time around the province on workers' compensation reform back in 1995-96. He came to my riding and to many other ridings around the province to meet

with groups on this legislation and this package that comes forward today on Ontarians with disabilities. That's a hallmark of this minister, and that's why the day we introduced the legislation, the building was filled with people from the disabilities community, supportive of what the minister was bringing forward.

The members opposite want to neglect and want to forget all of the things that this government has done in the past six years for the disabled community. We've made huge increases in funding in people in the community living sector. We've continued to move folks out of institutions into community living—huge investments there. Children's treatment centres: we've dramatically increased their funding. Members of the NDP actually held them to the social contract and reduced their funding between 1990 and 1995. Mr Marchese laughs about that, but I don't think those children's treatment centres found that funny at the time; they found it difficult.

We've brought in tax incentives for businesses to make workplaces more accessible in Ontario. We've changed the building code several times to improve accessibility. I'm going to speak for 20 minutes in a few minutes and I'll continue to enumerate all of these things. But it's very important to note the long record we've had and I think the member did highlight some of those things, so I'll congratulate her on that.

**Mr Michael Gravelle (Thunder Bay-Superior North):** Not only does this bill not meet the 11 principles that I think are the standard by which we must judge a truly effective and meaningful Ontarians with Disabilities Act, but the way the government has gone about this process is also extremely unseemly. As I think everyone in the Legislature knows and most people in Ontario know, it has taken six and a half years to even get to this point. There was a bill in 1999, I believe it was, Bill 83, which was a pure embarrassment. It was a pure fiasco and had to be withdrawn by the government. They have got to a point now where they are, it appears, putting forward a bill that is somewhat of an improvement over that piece of legislation, but still by no means meets the standard we think a true Ontarians with Disabilities Act should. What happens is that they then determine they are going to rush this bill through the Legislature, which I think is extremely unfortunate and extremely unkind.

The fact is that I have spoken to members of the disability community in my riding of Thunder Bay-Superior North and they have made a couple of things clear to me. They want to have an opportunity to basically have public consultation. Yes, they actually will be coming to Thunder Bay, and I want to let the people in my community know that. I think it's Thursday, December 6. They want an opportunity to truly study this, to have an opportunity not to be rushed into it.

The government is absolutely determined to push this legislation through. They're actually going to do a time allocation motion, which will force us to end debate on second reading. They will then have the hearings, going out to a few communities in the province, and by mid-December they are going to basically push this through

third reading. There will be no real opportunity to put forward amendments. The Liberal opposition—I'm sure all three parties, but certainly the NDP as well—will want to put forward some amendments to the legislation. I can tell you for sure that the disability community does as well. Yet they're being forced to deal with this very truncated process, which I think is insulting to the disability community. In other words, six and a half years to get here and suddenly in three weeks we're going to push this legislation through. I think that's wrong; I think it's unfair.

**The Acting Speaker:** Response, the member for York North.

**Mrs Munro:** Thank you to the members for Hamilton East, Trinity-Spadina, Niagara Falls and Thunder Bay-Superior North. In listening to some of the comments that have been made, perhaps there has been a misunderstanding about the fact that when the minister undertook this, it was with the notion that it was important to be able to do the consultations, because of the complexity of the interests of the community, the recognition that there were best practices within the province.

One of the things I think is a hallmark of this piece of legislation is that it recognizes the need to bring everyone in a community together to work on creating accessible communities, that it isn't the work only of government or only of a particular group, but rather is a reflection of our community as a whole in its ability to be as fully accessible as possible. This legislation, then, provides that kind of framework, where everyone within the community understands and recognizes the role and the opportunity they have to make their community the very best it can be.

There are a number of communities across the province that have provided those kinds of best practices and opportunities to look at standards. That's what this piece of legislation is designed to do: to make sure that in Ontario we have that ability to bring everyone together to make sure that we create no new barriers and that we work on eliminating the others.

**The Acting Speaker:** Further debate?

**Mr Steve Peters (Elgin-Middlesex-London):** May 24, 1995: Mike Harris promises in writing that within his first term of office he will enact an Ontarians with Disabilities Act. Promise made, promise broken, promise not kept.

We saw a feeble attempt in December 1998 to introduce a disabilities act, a sham of three pages of legislation introduced by the minister of the time, Isabel Bassett. It was a joke. The government recognized it was a joke. When the House prorogued, that piece of legislation died on the order paper. The House, though, continued to press for this legislation.

I want to thank my leader, Dalton McGuinty, who in June 1999, soon after my election, called me up and named me as the critic responsible for disabilities issues. I can tell you, at that time, I had some prior experience dealing with individuals with disabilities from my experience on municipal council. As I started to delve into the

issue and started to consult, I found that there was a huge number of barriers facing persons with disabilities in this province, barriers that this government in no way was making any commitment to remove and, if anything, they were making it more difficult for persons with disabilities to live their day-to-day lives.

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As we progressed and became further involved in dealing with disabilities issues, on November 23, 1999—today is November 20—every one of us in this Legislature unanimously agreed to a resolution that I put forward: that a strong and effective Ontarians with Disabilities Act be enacted no later than November 23, 2001.

Well, what we've got in front of us tonight is again a broken promise by this government, because it's not a strong and effective piece of legislation that we have in front of us. It's a weak and ineffective piece of legislation, a piece of legislation that, if this government had any guts, they should withdraw, because the commitment that they should have made to consult with the disabled community in the development of this legislation was non-existent.

They hoodwinked the disabled community. The minister left many impressions that this was legislation that the disabled community was going to be able to get behind and support. This was a piece of legislation that would incorporate the 11 principles—again, 11 principles that were put forth in a resolution by my colleague Dwight Duncan, that again were unanimously endorsed and supported in this Legislature. Are those 11 principles included in this legislation that we have in front of us this evening? No, they're not. Only one of those 11 principles is in any way visible in this legislation. Again, this government has abandoned the disabled community.

It's very interesting. When I became the critic responsible for disabled individuals in this province, the number that everyone touted was 1.5 million persons living with a disability of some sort in this province. Now that the government has introduced this legislation, we're talking about 1.6 million people. So what we've seen is that since this Mike Harris government has taken office in 1995, we have another 100,000 persons in this province with a disability and another 100,000 persons who have been abandoned by this government.

We've got young children who weren't born when Mike Harris was elected in 1995, when Mike Harris made that promise on May 24, 1995. May 24 is a day that I'll always remember because that's my niece's birthday. My niece is growing up in this province right now with a government that has shown no commitment to the disabled community. I think that's a real shame.

One of the things that's touted in this legislation is the creation of advisory councils. It's a joke, because this government, like they did with a lot of things that they promised to do in 1995, including passing this legislation, also made some drastic cuts and changed the face of the way we do business in this province. One of the things that they cut that they're touting right now as part of this legislation is the advisory councils. There was

already a mechanism in place to advise the government and work with the government in dealing with issues facing persons with disabilities, but this government cut that out in 1995. Shame on them.

I'm going to deal with some of the specifics of the legislation, but do you want to know how committed this government is to full, open consultations and accessible consultations? Well, they're not committed.

This government is more concerned about dealing with Bill 81, which deals with the spreading of nutrients on agricultural land. They gave Bill 81 nine hearings across this province—province-wide hearings. The Minister of Agriculture, to his credit, made the commitment that individuals—the farming and agricultural community in this province—would have input into the development of the regulations. The government is prepared to do that for the agricultural community, but this government is not prepared to do it for the disabled community in this province. I say shame on you, because that same commitment you made to the agricultural community, you should be making to the disabled community in this province, and you're not doing it. Shame on you.

It's interesting, we hear the members stand up and tout that there's all kinds of wide-spread support for this legislation. That's a joke too, because they were all hood-winked. The various groups thought, when the minister was out doing his consultations, they firmly believed, "Finally. We've been through Minister Bassett and she abandoned us, neglected us and didn't bring anything forward. We went through Minister Johns. We thought Minister Johns was going to do something, and nothing happened." They looked to Minister Jackson. They thought Minister Jackson was going to come to the table with a piece of legislation that was going to deal with the issues that were facing the disabled community in this province. But do you know what? It didn't happen again.

They stand up and tout the March of Dimes's supporting this legislation. The March of Dimes is certainly in its right to do that. But what we're finding now is that there are organizations all across this province that have recognized the sham that is this piece of legislation, and organizations that aren't supporting this legislation. The one that I would have hoped the minister responsible for disabilities issues in this province would have worked closely with is the Ontarians with Disabilities Act Committee, ODAC, because this is the umbrella organization that represents persons with disabilities in this province. Has the Ontarians with Disabilities Act Committee endorsed this legislation? No, they haven't, because they've seen what it is. It's an empty shell of a piece of legislation, a piece of legislation that is, once again, abandoning persons with disabilities in this province.

As you start to delve into this legislation, this is where it becomes really distressing. You can look back at Bill 26, I think it was, that the government passed in the fall of 1995, maybe 1996. With that piece of legislation, Bill 26 gave various ministers the ability, with a stroke of the pen, to change the way things are done in this province. But you know what's happening, and it's hilarious? This

piece of legislation, Bill 125, that we've got in front of us this evening, talks very much and very strongly about the government—it talks about the Speaker—developing a plan for this building. It talks about the government ensuring, for any new buildings that are built, that the legislation is in place to ensure that they're built in a barrier-free manner. That's a joke because, again, with a stroke of the pen the Chair of Management Board and the Premier of this province could delegate that. "Why put it in legislation? Why not just do it?" They could do it and they're not doing it. They're talking about barriers in the future, that we're going to eliminate barriers in the future. We've had six years of this government. What about all the barriers they've created in the past six years? This piece of legislation does nothing to address those barriers.

I think what's worse yet is the fact that this legislation doesn't apply to the private sector. This is a piece of legislation that's dealing with government agencies and municipalities, hospitals and schools, but it doesn't deal with the private sector. This government has this silly mentality: they think that if this piece of legislation were enshrined with forcing the private sector to do something, then it's going to hurt the private sector. But what we've seen, and it can be demonstrated, is that it would be a win-win situation for having this legislation apply to the private sector. It's a win-win situation because it would break down barriers for persons with disabilities. More important, it would create new opportunities for business to bring new individuals into their stores and into their restaurants.

A lot of times we think about legislation such as we have in front of us tonight, and when we think about barriers, we think about the disabled community. A lot of the barriers that are in place out there right now don't just apply to the disabled community. It could be a young mother going down the street with her baby carriage who finds it extremely difficult to enter into a building. If those barriers were removed, we would all win.

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I'm glad the minister keeps this little book in his desk, because I had an opportunity to tour the province in the spring of 2000 and visit a number of cities. We toured more than this government likely will tour for their consultations with this legislation. We went from Windsor to Thunder Bay to North Bay to Ottawa.

Let's talk about some things. I hope every one of your constituency offices, including my own members' and the NDP members', is accessible. If it's not, shame on you. Mine is. I made sure that my office is accessible. I challenge any one of you to go visit the Premier's office in North Bay and find out if the Premier's office is accessible. You'll find that it's not. You know how you get the ramp put down at the Premier's constituency office in North Bay? You call ahead or you knock on the window: "Knock, knock, knock, please put the ramp out." Persons with disabilities don't want to be standing on the outside, knocking on the window to try and get in. They want to be able to get right in on their own. I hope

that every one of you will go back and look at your constituency office and make sure it is accessible.

As we toured the province, we heard of a wide variety of barriers. Barriers don't just exist in the physical barriers that we all think of: the lack of access to a wash-room, the lack of access to a building. There are a number of other barriers out there that need to be reviewed and looked at. Such things alone as the Ontario disability support program—this a program that is in place to help persons with disabilities, but are all the proper documents available for access in a wide range of formats? Has the government ensured, like they've done in the past, that when they hold a tribunal hearing, it's not held in an inaccessible location? I certainly hope so.

Some of the other issues, other barriers that we face in this province, include the Ontario building code. We've seen legislation introduced with changes to the building code. We need to ensure that there are no exemptions in the new building code regulations. I believe that under section 11 of the existing building code right now there are exemptions that exist. We can't allow those exemptions to exist, not for government, not for the private sector. Everybody should be doing their part to make buildings accessible.

Education: there's a wide variety of barriers in education. I would urge the minister to sit down with the Minister of Education and look at what's happened: the cuts we've seen to educational assistance, the barriers that exist in some of our schools. I went back and toured my old high school. That building is not accessible and that's a shame.

Transportation: there's a lot of talk in this legislation about transportation. We all know that transportation is now the sole responsibility of municipalities, that municipalities have to pick up 100% of the cost. One issue that isn't addressed in this legislation is rural Ontario. It's one thing to call the paratransit here in Toronto three days in advance to get a ride, but try living in Aylmer or in Massey and getting access to transportation. It's non-existent.

When the legislation was introduced, we saw the great headline: "\$5,000 Fine for Parking in a Disabled Parking Spot." If you go to the local mall, fire routes and disabled parking are not enforced at malls. The only way that disabled parking spot enforcement takes place, where a \$5,000 fine could kick in at your local mall, is if that local mall has appointed bylaw enforcement officers and has entered into an agreement with the municipality to enforce bylaws. So is this legislation going to ensure that mall parking lots are freed up and that people aren't abusing parking spots? No, it's not.

Another issue that we need to deal with in this, and the lack of acknowledgement by this government, is the question of education, employment and training. We need to do everything we can to help individuals with a disability to ensure that they are accommodated within their workplace, to ensure that if they are on a disability pension and they make the decision to try and go back to work, and if, for whatever reason, they can't perform

those tasks, they don't have to go back on welfare, that there's an automatic reinstatement for those individuals to go back on ODSP. Is that addressed in this legislation? No, it's not.

I think there are other issues too. There are a lot of individuals in this province, numbers of individuals, who have mental illness or invisible disabilities. Are their concerns addressed in this legislation? No, they're not.

Let's deal with the question of consultation. We know that this government is feeling the heat. They know that they made a promise on May 24, 1995. They know that promise wasn't fulfilled in Isabel Bassett's Bill 83 and that it's a promise that has not been fulfilled in this legislation we have in front of us this evening. But are they going to do the proper consultation to ensure that everybody has an opportunity to have some input into this legislation? No, they're not. They're going to do a small number of cities. They're not going to London. I represent London. There are four other representatives from London. There's a large disabled community in London, a very active local disabled community. But is this government going to London for its hearings? No, they're not. They don't care. I think that's a real shame.

Is this a piece of legislation that they're going to ensure is right, that they get it right the first time? No, they're not. They're going to ram it through. This House is going to rise either December 13 or December 20, and we're going to see it disappear, see this legislation passed, forced through, rammed through without the proper consultation. It's a real shame.

The minister likes to make the comment, "They didn't recommend in the members' disability tour support of a strong and effective Ontarians with Disabilities Act." Page 1: "We've heard loud and clearly Ontario needs effective and comprehensive legislation." This was what we heard when we toured around the province, and that's what was included in this legislation.

I had hoped that the minister—and I know he looked at this report and I appreciate that—would have used this, that he would have used the 11 principles, that he would have recognized that a resolution was passed for strong and effective legislation no later than November 23, 2001. It didn't happen. Instead of a strong and effective piece of legislation, we have a weak and ineffective piece of legislation. I truly hoped that this was an issue that we could have all—I would have loved, as we have endorsed unanimously various resolutions in the House, if all 103 of us would have been able to stand up and endorse this legislation unanimously. You know, it's not possible. It's a sad day for Ontario and a sad day for persons with disabilities in this province.

**The Acting Speaker:** Questions, comments?  
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**Mr Marchese:** I just want to congratulate the member for Elgin-Middlesex-London for properly identifying the problems and relating to and expressing the disillusionment of people with disabilities as it relates to this particular bill. He mentioned something very dramatic. I believe he said it was Mike Harris's office that—

**Mr Peters:** Not accessible. Go to North Bay.

**Mr Marchese:** He points out that his office is not accessible and that people have to knock on the window and say, "Please let me in," assuming that somebody is accompanying the individual, because if you have a mobility disability, it may be even hard to reach the window possibly, but not entirely. The whole idea of having to knock on the door to be let in, without which they cannot enter, it's as if you have to plead before you can enter. Somebody has to come out to put an accessibility walkway for the person with the disability to get in. It's nuts. And this is the Premier of Ontario.

You could understand perhaps some other members. Maybe they haven't been able to find a location where they can have an accessible office. Ten years ago—10 years ago, as soon as I got my office—I made sure we had a ramp. If you people don't have one, you should be asking yourselves why. You're not leading by not having an accessible office.

**Mr Joseph Spina (Brampton Centre):** Do you know why? Because I go to them.

**Mr Marchese:** Joe, that's a good one. He goes to them. No, they want to come to you. I'm convinced you don't go to them. You might go to some. But you need an office that's accessible, and that's one of the points he has made, including so many other points. But the Premier ought to look at that problem before he leaves his office, because it is shameful.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I'd like, just in passing, to mention to the member for Trinity-Spadina that if he's that keen, he should have stood in the House and said that he has a TTY machine in his office. I know he doesn't. But if he really is that sincere, maybe he might consider that, making those services available to his constituents.

More importantly, I want to respond to the member for Elgin-Middlesex-London. I've come to appreciate that this individual is a hard-working individual who understands the issues of the disability community, and I share with him the disappointment that his Liberal consultation tour report enunciated all the problems. We do not need any additional effort on enunciating the problems. What we need in this province are regulations and guidelines that will guide the rules of conduct for public and private businesses across this province, something that's been sadly lacking in this province, something that the federal government refuses to provide. As I've said on many occasions, you can win a case with the human rights tribunal only to lose it because there are no guidelines in this province or this country that can be upheld in a court of law. This legislation will do that.

The member opposite never once made a reference to the bill. But I will suggest to him that there is growing concern that the Liberal Party earlier today, their critic, the member for Prince Edward-Hastings, formally stated to the media that it is your party's intention not to support this legislation. You made that decision before you participated in the public consultation. You prejudged and

prejudged this legislation on behalf of the disabled community and expressed an unwillingness to work to find resolutions. It was your own member Dwight Duncan who suggested that we get this legislation passed by November 23. We're extending the consultation period a further three-plus weeks in order to ensure that the disabled community has an—

**The Acting Speaker:** Thank you. Questions and comments.

**Mr Rick Bartolucci (Sudbury):** I'd like to commend the member for Elgin-Middlesex-London for a very fair analysis of the bill. I disagree with the minister. I thought the member concentrated totally on the bill and showed the inadequacies of the bill.

I would suggest to you that the disabled community at large is not very supportive of this legislation. In fact, they are quite concerned about the legislation. They understand that the 11 principles that this House unanimously passed are not included in the bill; only one of the principles is included.

I want to take this opportunity to thank Steve Peters, to thank Dwight Duncan, to thank Ernie Parsons and to thank Dalton McGuinty for the effort they've shown in trying to advise the government on how to do it the right way. The government, though, in its mindset, refuses to listen.

We can banter back and forth here in a partisan political way, but I want to take the last 49 seconds to mention an individual who tragically passed away last week. His name is Frank Marsh. He was the president of Cambrian College. The minister was supposed to come up and do a presentation and rightfully chose not to because of the death. We in Sudbury appreciate that.

But I have to tell you that two nights before he died, we talked about various bills. One of them was the colleges act. The second one was the disabilities act, and he articulated his personal concerns about the act extremely well. I would suggest to you that it would be very appropriate for this government to ensure that they listen to what the opposition is saying.

**Mr James J. Bradley (St Catharines):** I also thought the remarks of the member were most appropriate. I should share with members of the House, because Mr Peters himself is going to be too modest to talk about the significant role that he played, that he visited the city of St Catharines and listened with a good deal of interest as people gathered from across the Niagara Peninsula to make representations in regard to the problems that are encountered by disabled people in our province and what they believed would be some of the parts they would like to see in a piece of legislation that would finally pass in this House. They had hoped it would be unanimous.

They were very clear in sharing with Mr Peters; I had an opportunity to sit in on the hearings on that day. With his particular public forum, we had that opportunity for disabled people to make those representations. There were a lot of things that came forward that you wouldn't normally think would have been problems; that is, the general public would not have recognized those as prob-

lems. I thought that's why it was particularly useful. They had an opportunity to make those representations.

Some were disabled as a result of accidents that had happened in the workplace or elsewhere, some had a disability from birth, and some were disabled as a result of disease of some kind. Each one brought a different perspective to that public forum. I know in his speech this evening, Mr Peters has shared with the House some of the observations which were made to him and some of the conclusions which were reached at those meetings.

So I want to take this opportunity to thank Steve Peters for the work that he did. I know that other members of the House have as well, but he was the speaker tonight, and I want to thank him for that representation.

**The Acting Speaker:** Response?

**Mr Peters:** I want to thank the member from Trinity-Spadina, because the symbol for leadership in this province is the Premier. When the symbol for leadership doesn't show that commitment to the disabled community, either in ensuring the legislation is put in place or ensuring that his office is accessible, I think that sends a very clear message to the disabled community in this province.

I want to comment on the member for Burlington, the minister. He talked about TTY machines and not having them in our offices. Why doesn't the minister advocate so that every one of us could have a TTY in our offices? Why doesn't the minister advocate that there's proper funding given to us for our constituency offices to make our constituency offices accessible? Because you know what? When I had to make my constituency office barrier-free, I had to take that out of my global budget. Make that commitment, Mr Minister.

You talk about making a decision before the consultations have taken place. You know what, Minister? You have made the decision. You have made the decision before the consultations have taken place that this bill is right, and that's wrong.

I want to thank the member for Sudbury, because his is a community that has shown a commitment. You should go and tour Cambrian College. Go have a look at what they've done at Cambrian College and the programs that they've implemented in that college and the efforts that they've made to make it barrier-free at minimal cost; less than 1% additional cost to make that a barrier-free facility. I commend Cambrian College for what they have done.

I want to thank the member for St Catharines, too, for his comments.

There are so many areas where this government has continued to abandon the disabled community dealing with health care. Has this government implemented the Eldridge decision? The Eldridge decision in British Columbia guaranteed that persons deaf or hard of hearing would have access to medical care and access to an ASL interpreter. Has that happened? No.

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**The Acting Speaker:** Further debate.

**Mr Marchese:** I welcome the viewers of Ontario who regularly watch this political channel. I said the other day

that they have a special obligation. Because they are keen in knowing what we do in this place, we expect that they will become a little more politically active than the rest who are not watching what we're doing. So I welcome you this evening as we debate the Minister of Citizenship's bill around the Ontarians with Disabilities Act, Bill 125.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** Mr Jackson.

**Mr Marchese:** "The minister," because when I use their names the Speaker of the House says you can't use names in this place—if that's OK with you, Cam.

I want to take off from where the member from Elgin-Middlesex started and just remind the Ontarians watching that the Premier, yes, has a ramp but you've got to knock on his window to get in.

*Interjection.*

**Mr Marchese:** I know Billy the maverick doesn't like what I'm saying, or he's just being contrary. I don't know.

But for the Premier of this province not to have a ramp and that you've got to knock to get in doesn't sound right, does it? He's got a whole lot of money. He's the Premier, for God's sake. Usually Premiers lead. In this particular issue, who would you expect to lead the province except the Premier of Ontario?

**Mr Murdoch:** Have you been in his office?

**Mr Marchese:** Billy, I'm just saying that I'm taking off from where the member from Elgin-Middlesex—and I trust the member from Elgin-Middlesex.

**Mr Murdoch:** But you have not been in his office?

**Mr Marchese:** I personally have not been in his office. But if Bill the maverick is saying that I haven't been there and he has, and he knows that the Premier has a ramp, why doesn't he tell me he's got a ramp? Clearly, Bill Murdoch hasn't been there; otherwise, he would have said, "Marchese, he's got a ramp." All he's saying is, "Marchese, have you been there?" No, I haven't. Have you?

**Mr Murdoch:** No.

**Mr Marchese:** You haven't either. Well, don't say anything if you don't know anything. I trust the member from Elgin-Middlesex when he says when people with disabilities go to the office of the Premier, they've got to knock and someone comes out. I don't know how they do it, but presumably someone comes out and they bring the ramp. Because if the ramp is wood, it's heavy, or if it's metal, it's heavier, I'm assuming the Premier has more than one staff who are able-bodied and are able to bring the ramp out when someone knocks, "Please let me in. We want to come in and talk to you."

**Mr Christopherson:** It's easier in the snow.

**Mr Marchese:** You think? If there's snow, it would be complicated for the staff. I don't know who the staff are; I hope they're able-bodied. If there is snow and lots of it, I think it's hard to lay it, but presumably they shovel it neatly and nicely so that they could put out the ramp. But I envision problems.

Cam, what do you think? I don't know. Let me know. I'm just sharing this with you and I'm actually sharing it with the Ontarians here. I think they're probably amused by this subject, because when the member from York North says, "We are moving dramatically," I wonder how dramatically they're moving. I don't think they've moved dramatically. They have moved dramatically slow; this is true. It took them six years since you got elected, and said, "We're going to bring in Ontarians with Disabilities Act"—six long, painful, slow years—to listen to people with disabilities, only to bring in a bill that the member from York North says, "We've moved dramatically."

People with disabilities are saying, "Hold it a moment. What have you moved to?" Where have you moved to, only to be introducing a bill where people with disabilities are saying "Billy, there's nothing in this bill"? I wonder what Murdoch is saying to those people when they're saying, "We don't see a bill here that addresses all those years of complaints that we've had against your government, who promised in 1995 to bring an Ontarians with Disabilities Act—1995." Do you recall how fast they moved to repeal the Employment Equity Act that we had introduced? Do you remember how fast they moved? And do you remember Mr Stockwell at this end of the room—somewhere around where you are, David—screaming every day, with bulging eyes, saying, "We need to repeal this bill"? He didn't call it the employment equity bill. Do you remember what he called it? The "quota bill," he would say, with his eyes popping out, reminding Ontarians that this bill is something scary to behold. When they got into power, they wasted no time in repealing the employment equity bill, which would have brought some fairness to people with disabilities after they had fought so long for some fairness to get into the workplaces, not just in terms of accessibility but to be able to be employed by those workplaces. We said, "We will establish targets so that those employers and those workplaces will reflect the community we have in Ontario." Private employers were obliged to comply with targets, which Stockwell and others called the quota bill, as if to suggest, "The aliens are coming." They repealed it in a matter of weeks, as soon as they got elected.

You have the minister et al saying, "We've moved dramatically. This is visionary. Never has any other political party done so much for people with disabilities as Cam Jackson, the Minister of Citizenship." Honest to God. They repealed the only thing about which they could have said they were building on. If they had kept the employment equity bill, they could have said, "We're building on what you started." But no, they killed it, and then they have the nerve and the fortitude to come into this place saying, "We have done so much." After six years of listening to people, they're going to listen some more, because that's what this bill is all about. They're going to keep listening to people with disabilities. It's pitiful. You guys are truly remarkably pitiful.

They're gong to have hearings in four cities. David, I don't know how you guys can sit there and just think it's

OK. You're going to have hearings while we're in session, four days on a bill that presumably you're so proud of—four days.

**Hon Mr Jackson:** It's six days.

**Mr Marchese:** Oh, six. OK, six. Four cities?

**Hon Mr Jackson:** Five cities.

**Mr Marchese:** Oh, it's five cities. I thought it was four. That's good—an extra day. Beautiful. And an extra day for clause-by-clause, presumably, right?

**Hon Mr Jackson:** Two.

**Mr Marchese:** Two days? Wow. Two days for clause-by-clause. That'll make some changes. With a committee that constantly rejects any suggestions the opposition has to make, two days is great. I suggest you put that extra day in the cities out there so people can come and tell you what they feel, and not give us two days of clause-by-clause where you will reject all the amendments that will be proposed by the opposition. Give the people with disabilities more time. You know what, Cam? I say to you, Minister, if you're really so proud—

*Interjection.*

**Mr Marchese:** Billy, quiet now. You're just loud now.

Give the people a chance to tell you what they think if you're so proud, because you moved so dramatically. Give the public an opportunity to come to you. By the way, perhaps you should think about how to provide for people who might have a difficult time coming to your meetings. While it is true that in Toronto it might be easier than in some other places, Billy, in your part of the world it will probably be very tough to get to. I suggest you go talk to Cam—he's right there—and say, "Cam, when we have meetings in the vicinity my community might be close to, if people from my community want to get to those committees, are you going to provide for assistance? Will you tell them they can go and, 'By the way, don't you worry. We will provide all the necessary assistance you will need to get there so you can tell us what you think about this bill?'" Bill has stopped listening now.

That's what I would do. I would, if I were the minister and proud of this bill, not rush it through now, during the session, with the four days that now Cam Jackson says is five days, but rather during the intercession when we're free and we've got time. We could spend all of January to make sure that everyone across Ontario has an opportunity to tell you what they think, if you're proud of it. If I were proud of something, man, would I give a whole lot of time. Your government has wasted no effort, when they thought a bill was popular, to make sure it was out there for weeks and weeks and weeks. When it's unpopular, you give us a day, you give the opposition a day, when you realize there's a bill you've presented that people don't like. When you like it, you go on for weeks, you consult for weeks. So we've got a problem in terms of consultation.

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We've got so many problems with this bill. One other aspect of the bill says that "the reform of the Social

Housing Act will ensure that any future social housing is fully accessible." That's cute, because it says that any future social housing that is built must be accessible. Isn't that cute? They haven't built any affordable housing. There is no social housing to be seen anywhere in this province. There are only condominiums, not accessible to people with disabilities, I don't think. I don't believe people with disabilities can afford the condominiums that are at the bottom of my riding here by the lake, at Queen's Quay. They're very expensive, those condos, you understand. I'm sure there are people with disabilities who might be wealthy, who might have inherited some wealth, possibly, but I suspect the majority of people haven't had employment opportunities that employment equity that we introduced as NDPers would have given them. I don't believe they have a lot of deep pockets to be able to get to those condominiums, and I'm not quite sure those condominiums are built for persons with disabilities.

So what's left? Social housing. Who's building social housing? No one. They're going to make future social housing accessible, except there is none, and it's not likely to be built by them. And the private sector, which Billy promised would build it, and Cam Jackson and the former Minister of Housing, M. Leach—he's gone, mercifully, but he said, "When we change the Rent Control Act and bring in the Tenant Protection Act, we will have 10,000 units being built by the private sector." He meant 10,000 social housing units—10,000 units. Speaker, I know you're a patient man, but have you seen any—

*Interjection.*

**Mr Marchese:** What are you talking about, Billy? Follow with me, stay with me. Don't ramble somewhere else. Stay with me. I want you to interrupt me with the flow of my speech, not take me to some other tangent that has no meaning. Please work with me.

*Interjection.*

**The Acting Speaker:** The member for Bruce-Grey-Owen Spadina would recognize that the member for Trinity-Spadina has the floor and that only one speaker at a time is permitted.

**Mr Marchese:** Thank you, Speaker. I like intelligent interventions, even dumb ones from time to time, I do, but I like interventions that relate to what I'm saying, because otherwise he'll distract me into all sorts of things. I don't mind that from time to time, but I don't have enough time. I've got seven minutes left. Billy, please.

In terms of social housing, that was very good, Cam. You're now forcing all new development that the former Minister of Housing, Mr Clement, was going to be able to build—he wasn't able to because he was moved to another portfolio, but hopefully some minister will come in the next little while who will build social housing, and we'll have it accessible. God bless you.

Moving on to other issues, this government has also been generous enough to download the responsibility for accessibility, for barrier-free workplaces, to the cities, the

municipalities, universities and colleges, boards of education. They all will have to draw up plans, and that's the extent of it. As far as I know, there are no timelines, no enforcement mechanisms, no obligations on these institutions to provide barrier-free workplaces, none. But to download the responsibility to municipalities—they've been broken and are broke because of the policies this government has instituted in terms of downloading so many social responsibilities on the cities, whose sole revenue source is property taxes. How can you obligate municipalities to come up with plans? Presumably, once they've done so, hopefully they've got money to create barrier-free workplaces. If some municipalities do, it's wonderful that they create plans and move toward creating barrier-free workplaces. But some won't have the money, so what we'll have is uneven development across Ontario. Some cities might have the money to be able to provide ramps or barrier-free workplaces. Colleges and universities certainly don't have the money. Maybe some will have the money to be able to create barrier-free workplaces, but I'm not convinced they're going to have the money. So isn't it wonderful for Cam Jackson, the minister, to download this responsibility to those institutions without giving them the money it takes to make sure those things get done?

Apart from that, there are no mechanisms for timelines in terms of how fast you want to see that done and certainly no enforcement mechanisms. Finally, as I indicated earlier, there's no money.

You have created guidelines which have no power unto themselves because we don't know whether they will get into regulations and we don't know whether they will be obligatory; at any rate we don't think they will. We have the creation through this bill of accessibility councils that have no power. They will be powerless to do anything. We have the municipalities creating accessibility plans, but as I say, that's about the extent of it. There's no mechanism to ensure that happens because there's no money.

We certainly have some good things this bill has proposed. What are they? Well, they'll increase the fines for those who park in the space that is for the person with a disability. Isn't that great? That's big, Cam. That's a good thing. You're going to increase the fines for someone who takes a space that properly belongs to a person with a disability. Oh, amen, that's moving dramatically. That's good.

**Mr Murdoch:** Are you happy?

**Mr Marchese:** Yes, well, listen, I had to talk about something that's good about the bill. The other good measure, as I understand it, is that you have changed the Human Rights Code, David, to remove the language that was a bit outdated and rather negative in content, and that is that they used to be referred to as handicapped individuals. That term has been obliterated by the new bill that has been presented here, with the modernized language, much more progressive language that refers to people with disabilities as such, people with disabilities; less negative, obviously, a term that people have obviously

come to agree on. You did that. Good for you. Thank God that at least you've brought in some measures that some people are going to agree with you on.

But there's so much in this bill that people with disabilities are telling you that it's a weak bill. After six years, it's a weak bill. They were hoping for so much more; so was I. So were all New Democrats, hoping for so much more, because you promised, after six years, you would introduce something that everybody would be so happy with.

Those in the private sector have no obligation to provide barrier-free workplaces. How could you introduce a bill that doesn't touch the private sector? I know it reflects your ideology. Oh, I know you folks have no ideology, especially once Ernie has come back, because Ernie said, "I'm neither left nor right. I'm just a fiscal conservative with a big heart." We'll see how big his heart is going to be when he comes back, because when you people start taking \$5 billion dollars away from everything from education to social services to environment to labour to natural resources, when five billion bucks gets taken away, I want to see how big Ernie's heart is going to be. I think it's going to shrink awfully fast when he comes back.

**Mr Murdoch:** He may not get back. He may not get to do that.

**Mr Marchese:** No, but I suspect Ernie will do well, God bless him. But if Clement gets elected—there's Tony. Tony says, "No, we haven't done enough of radical cutbacks in income taxes. We've got to do more." Tony, I couldn't believe you. You've got to cut \$5 billion and you want more income taxes cut so you can cut more services by yet another \$5 billion? Tony, please.

*Interjection.*

**Mr Marchese:** The guy from Niagara Falls is going to speak next. I always like it when—you've got to speak before I do so I have something to talk to you about.

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This bill is unacceptable to people with disabilities, by and large. They think you can reform this. I don't believe it, because you won't accept the changes that we will recommend. So I think it's a bad bill that needs to be defeated.

**The Acting Speaker (Mr Michael Gravelle):** Questions or comments?

**Hon Mr Jackson:** I want to acknowledge my colleague from Trinity-Spadina. He's always filled with colourful language, and tonight was no exception. I was fascinated by his comments. I had hoped that he would perhaps have had a more thoughtful examination of the legislation and, for people watching tonight, an opportunity to actually reference sections.

He said it doesn't include the private sector, and yet he knows that it includes private sector transit operators. He knows it gives the government regulatory authority through the access council, something that will be predominated by persons with disabilities, something that even the ADA doesn't do and no other jurisdiction in North America does. This opportunity is rather unique in

Ontario, for the disabilities community to set the regulations for the private sector. But the fact is we have no guidelines in this province to establish what the thresholds, what the standards should be for accessibility, whether it's in employment, whether it's in education or whether it's in accessibility, and we have much work to do in order to get this done.

He made reference to his government and party. I have a copy of Bill 168, the equal access to post-secondary education, transportation and other services and facilities for persons with disabilities, something his colleague Gary Malkowski presented. You know, they had an access committee under the NDP; it met once a year. And you know what they said? "You can't discuss Bill 168, because that's from a government member and it's not government policy, and therefore we don't want you discussing it."

In fact, this legislation before the House today goes further than anything that was even tabled by the NDP in the past history of this province. You chalked up a \$50-billion deficit in this province and didn't do one thing for the disabled community.

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** This is a very important issue. I can remember, back in the 1980s when there was a different government in power, we did everything humanly possible at that time to get disabled people on the job, where they could work and make a living like anyone else. For my constituency office, I looked high and low to get a location where wheelchairs and people with crutches and everything could get in, at ground level, and I know they really appreciate that.

I just want to tell you another little story about what happened to me on Sunday. A gentleman used to be an OPP officer and is retired now, and they just took his second leg off at the Ottawa Civic Hospital, where he is right now. He was always active, driving his van—he had it equipped and everything—and he wanted to be part of the community, driving other people who he thought were worse off than him. Government has got a big role to play there, getting him back on the job and getting him working, and that's what he wants to do.

I've been involved in my lifetime in many lifts and many different types of buildings over the years to get accessibility for wheelchairs. In our community there's a lot of that, but they're having a difficult time now to find the funds to do that.

I don't think you realize how serious it is until you're in those people's position. They can't get around and they have to have a family member take them, and most times family members are working on the job. It's very difficult.

Anyway, I hope cooler heads will prevail here and all parties will work together and will come up with something that will be suitable for our less fortunate. It could happen to any one of us at any minute.

**Mr Christopherson:** Let me say at the outset that there really can't be any doubt about the oration skills of my colleague from Trinity-Spadina. I think that's evi-

denced by the fact that even members of the government were applauding, I suspect not so much content but certainly delivery and a respect for talent when you see talent. My colleague is without doubt one of the most fascinating speakers in this place, and it's always a delight to listen to him.

If you'll allow me, Speaker, I want to take a little bit of exception to some of the comments the minister made about the remarks of my colleague. He first of all seems to refuse to accept the fact that in 1995—guess what, Minister? You won. Take yes for an answer. Arguing the 1995 election over again does absolutely nothing for the disabled. It might make you feel better, but it does nothing. And not only that, you're wrong. You're wrong when you say we did nothing for the disabled.

One of the things my colleague from Trinity-Spadina talked about was the fact that you've now changed the social housing act to require that they have to be accessible, and as he pointed out, you aren't building any. You haven't built one, not one, since you came to power over half a decade ago. We built close to 50,000, and among those 50,000 were dedicated units where, as we speak right now, this very instant, there are individuals who can live a life of dignity.

*Interjection.*

**Mr Christopherson:** There are people who live a life of dignity because we honoured a commitment to build social housing and in there we provided for accessibility. For all your taking pride in heckling, that's not doing anything for the disabled either, just like this bill.

**Mr Maves:** I just want to quickly say on the member opposite's comments that the Minister of Citizenship is right. I also have a copy of the same bill brought in, the Ontarians with Disabilities Act, 1994. It was brought in by the NDP government at the time, received first reading, which is just basically being introduced into the House, and never again saw the light of day. Debate tonight is on an Ontarians with Disabilities Act. They had five years to bring one in and never did. One was introduced by one of their own members but wasn't given the light of day, so the Minister of Citizenship is right about that.

**The Acting Speaker:** The member for Trinity-Spadina has two minutes to respond.

**Mr Marchese:** I thank my friend from Hamilton West, and then I want to respond to the other two Tories.

*Interjection.*

**Mr Marchese:** Yes, John commented on something else.

The member from Niagara Falls is the biggest booster of this government. He's always up there with that nice voice, calm and very reassuring, almost like David Johnson, the former minister who was here, very reassuring. He said in the 30 seconds he spoke, "What did the NDP government do when they were in government? They did nothing." We talk about the employment equity bill. He doesn't know because he wasn't here, I guess. But Cam knows; Cam was here. We introduced an employment equity bill that would bring fairness to people with disabilities.

The member from Niagara Falls said, "What did the NDP do? They had five years." In five years we did the Employment Equity Act. In a couple of weeks, the Tories got rid of it. They just axed it. It was very easy. They just said no to the quota bill. Do you remember that, Billy? The member from Niagara Falls should learn about these things. I know you're so reassuring to the public that listens to you about how great you folks are.

The Minister of Citizenship, with respect to the content of the bill, said the private sector is included. Oh? Point that out to me, because they are excluded. Then he said they created advisory councils that will have people with disabilities on it. Oh? What power do these advisory councils have? Will they be able to obligate cities, municipalities, colleges and universities to actually do the plans they are obliged to do? No. The member said that we had access committees in the past and what did we do? We did nothing. We had the employment equity bill and they killed it.

Minister, I tell you, you've got to reform this bill if you want the support of the NDP. Otherwise, it's a dead bill.

**The Acting Speaker:** Further debate?

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**Mr Maves:** It's a pleasure to stand and rise and contribute to the debate on Bill 125. Before I get into my own remarks, I do want to respond to some of the remarks of the member for Elgin-Middlesex-London. When he did his speech, I unfortunately didn't have an opportunity to do a response. One of the things—I sincerely hope that Mr Peters, the member from Elgin-Middlesex-London, returns to the Legislature at some point this evening and apologizes for the insult he delivered to the disabled people in Ontario. When he stands in his place and says that disabled people in Ontario were hoodwinked by this government, he insults them. He says, very paternalistically, very arrogantly, that those people can't think for themselves. I think that is an ultimate insult. I hope that Mr Peters really didn't mean that and I hope he can come back and retract that statement. It was shocking that he would use that language to talk about the disabled community in this province.

Second, that same member claimed, when he spoke, that no member of the Ontarians with Disabilities Act Committee supported this legislation. That is a falsehood. How do I know this? Well, here's a quote from Dean LaBute of the Ontarians with Disabilities Act Committee: "I believe in moving forward with purpose and working together to reach a common end. The proposed Ontarians with Disabilities Act incorporates this philosophy and offers a level of commitment that is unprecedented in Canada. I believe that, working with all levels of government in every sector, we will effect change and move steadily toward achieving a barrier-free society in Ontario. This will enable Ontarians with disabilities to participate in all aspects of community life to the best of their individual abilities." That's an endorsement from a member of the Ontarians with Disabilities Act Committee. The member opposite was wrong to say what he said.

Third, I say to the member opposite, the NDP government through 1990 to 1995 did not enact an Ontarians with Disabilities Act. They had one of their own members introduce it, but they didn't even let it come back to the House beyond first reading. We also know that between 1985 and 1990 the Liberals, who governed Ontario, did not introduce an Ontarians with Disabilities Act. They didn't even talk about it. Between 1990 and 1995, when the Liberal Party was in opposition, they could have taken the Americans with Disabilities Act, which they purport to support, changed the title and introduced it in this Legislature as a private member's bill. Did they do that? No. Never once did they do that between 1990 and 1995. In 1995 to 1999, again they had an opportunity. Both parties opposite had an opportunity. If they believe so much that we should have an Americans with Disabilities Act here in Ontario, all they had to do was get that bill, make sure it complied with the way we write our bills here in Ontario, change the name and introduce it in this Legislature. Did they do that? No, they did not.

We move now to the next government, the current government, 1999-2001. Have the Liberals done that yet? No. They've brought a resolution into this House which was endorsed unanimously. They could have brought in a private member's bill. I've just gone through 16 years of government: five years when they were the government, 11 years when they had an opportunity. Just change the title and introduce it. They never did it. Not only that, but Mr Peters from Elgin-Middlesex-London—and the members in his party talked about how he went out and toured and consulted with the disabled community. Good for him. That was excellent. He wrote a report. Do you know, if you read that report, they didn't make one recommendation? Not one. They weren't willing to make one solid recommendation. What did they say about the Americans with Disabilities Act? Did they commit in that document that that was what they were going to introduce? No.

The NDP and the Tories are often at opposite sides of the spectrum in the Legislature. We take a position and they take one that's totally opposite. They've jumped around on tax cuts recently, but for the most part we have opposite views. But we take a stand. We take a position. The Liberals are refusing to take a position once again. This history just continues with them. I wish Mr Peters in his report had made a recommendation, had said, "This is Liberal policy. We keep talking about the Americans with Disabilities Act. That's our policy." Introduce it in the House. It gets frustrating for us on this side of the aisle.

The other thing I have to say about the Liberal Party opposite is that not only did they insult, in my view, with a very paternalistic and arrogant statement some of the people in the disabled community who have said they support this bill, but I think they insulted taxpayers. There are quotes from Mr Parsons, Mr Peters and several people on the opposite side saying we've done nothing for the disabled community, that we've turned our backs on the disabled community over six and a half years.

One thing that we as a Conservative government believe in is that we don't have money. There's only the taxpayers' money. We spend taxpayers' money. If you're going to say that we do nothing, you're basically saying that taxpayers do nothing for the disabled in Ontario. That is an insult to the taxpayers of Ontario, because you know what? They reach into their pockets year after year and spend more than \$6 billion annually to help the disabled in Ontario. For them to insult taxpayers and say, "You don't do anything for the disabled in the province of Ontario," to say to taxpayers, "You all turn your backs on the disabled in this community," is an insult. It is another one that I think they should apologize for.

I want to expand a little bit on this. Bill Adair from the Canadian Paraplegic Association said, in a letter to Minister Jackson dated November 9, 2001, with regard to this bill—now listen carefully please, Speaker, and the members opposite—"We view the introduction of this bill as a continuation of your past record of increasing support for people with disabilities in Ontario." That's right.

I can go through every ministry. I can go through the Ministry of Citizenship and give you a litany of programs that this government has introduced, continued and expanded over the years. I can do it with the Ministry of Community and Social Services and the Ministry of Health and the Ministry of Finance. The bottom line is that we spend over \$6 billion annually to help people with disabilities in Ontario. Let me just talk about a few. First of all, with the Ministry of Community and Social Services, where I was once a parliamentary assistant, we campaigned in 1995 to take people with permanent disabilities out of the welfare system to give them their own system with richer benefits and different rules and regulations. We did that in 1995. We kept that promise to them. The ODSP is a separate program from Ontario Works and is a better program for those folks.

When I was at the Ministry of Community and Social Services, the minister, John Baird, had a great deal of interest in adults with developmental disabilities. He went out on the road all across Ontario and met with community living associations, with adults with developmental disabilities and with the parents of adults with developmental disabilities, and he has expanded greatly our investment in that area. He sent me out one summer to do a 15-city tour to consult with people in the developmental disabilities community. We continued the program of getting rid of institutions in Ontario. We are down to three institutions where adults with developmental disabilities reside. We moved them all into the community living sector. That is something that was started by the NDP. We agreed with that. We continued it. That cost money. On behalf of the taxpayers of Ontario, that was a better way of life for those folks. We agreed. We continued that. The taxpayers of Ontario did.

I remember meeting with one fellow who had been in an institution since he was a youngster. He'd been there 15 years. He left the institution. He moved into a community living facility. At that point in time he had two full-time jobs.

*Interjection.*

**Mr Maves:** No, he was in his 30s. He had two full-time jobs and was about to get married. His wish to me was, "I'd like to see some more of my friends who are in the institution out of the institution and into community living." We're doing that.

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The ministry is putting an additional \$55 million this year, growing to \$197 million annually, into revitalizing developmental services, improving respite services, improving wages for community living and providing more spaces for these folks. There's a \$2-million partnership between community and social services and the Ontario March of Dimes to financially assist adults with physical disabilities to modify their homes and vehicles to enhance independent living and mobility. With the social contract under the NDP, children's treatment centres as well as children's mental health facilities had expenditures reduced. When we came in in 1995 we ended the social contract. We ended it for teachers. We ended it for everyone in the public sector with the exception of MPPs. For kids with spina bifida, with autism, with severe disabilities in these children's treatment centres around Ontario, we ended the social contract and we gave them their first large increase in funding in many years.

In the most recent budget, the Minister of Finance added a \$20-million increase in the budgets of the children's treatment centres. This is a major accomplishment, something they worked hard for. Mr Bradley, Mr Kormos and myself visited the children's treatment centre in Niagara and listened to their request. I brought it forward to the finance minister and he acted on it.

What are some of the other programs in other ministries? The Ministry of Municipal Affairs and Housing and the Ontario building code: over the last six years we've made improvements to the Ontario building code that made lives better for folks with disabilities. At the Ministry of Health and Long-Term Care, the ministry I'm currently involved in as parliamentary assistant, we continue to have the assistive devices program, which helps Ontario residents with long-term disabilities to pay for devices such as wheelchairs, hearing aids, and vision and communication aids. The 1999-2000 budget for this program alone was \$98 million. That's not my money; that's taxpayer's money. They spend a lot of money assisting their fellow Ontarians, those with disabilities.

Brian's Law is another mental health reform we brought in. These changes, with Brian's Law, will permit community treatment orders to be issued for persons with serious mental illnesses who pose a danger to themselves or others, something the community asked for for many years. This is something Mr Patten, across the way with the Liberals, wanted to see. We brought that in. Last year \$15.8 million in new funding was provided to help implement community care treatment options under Brian's Law, another financial investment the members opposite don't want to talk about.

The ministry has put millions of dollars into supportive housing for persons with disabilities, and early

screening for infants with hearing problems and pre-school speech and language services.

There are a lot of things in the Ministry of Health. The Ministry of Training, Colleges and Universities last year provided \$4 million to train qualified assessors to test and identify learning disabilities in young francophones. In 1997 it allocated \$30 million over five years to four pilot projects to help students with learning disabilities make the transition from high school to post-secondary education.

Last year the Ministry of Education announced a \$155-million increase in special-education funding for services for students with high needs. This government has brought in the highest ever special-education budget in the province of Ontario. With the funding formula in 1997, which the members opposite opposed, we sealed the special-education funding envelope in Ontario so that boards that got money for special ed could not take that money and spend it in any other area, could not spend it on administration or on building a new administrative building. They could only spend that money on special ed. We sealed that envelope, and we've continually raised that envelope and the money within it.

Like all of us, persons with disabilities pay their share of taxes and service charges and levies and so on, but the Ministry of Finance has been instrumental in lightening that load over the last few years in recognition of how unfairly these expenses can burden persons with disabilities on a daily basis. The Minister of Finance, in the May budget, announced that 10% of the property assessment for a new residence that accommodates persons with disabilities or seniors who would otherwise require care in an institution would be exempt from taxation. The 2000 budget included amendments to the Municipal Act to require municipalities to provide tax relief on a permanent basis to low-income seniors and persons with disabilities for all types of property tax increases. We expanded the retail sales tax rebate for personal-use vehicles purchased for transporting people with physical disabilities to include additional family members and non-family caregivers. For getting around the community, we fund 75% of the cost of low-floor buses—there's \$240 million—and we subsidize specialized transit services for a total of \$134 million between 1995 and 1997.

My municipality has a committee for the disabled. I've had several meetings with them. I've had Minister Jackson meet with that same group and some others from St Catharines and other areas. I had Brenda Elliott, when she was doing some consultations, meet with a similar group. One of the things they always talk about is that they would like—they did not necessarily always talk about an ODA; they talked about expanded services. One of those services was transit, so the government has said, "We are going to get back into transit in a big way." We've challenged the federal government to come along.

I've noticed the Ontario Liberals have not taken up that challenge. I understand there's a bit of a fear factor in a lot of things there. They don't want to stand up to the federal cousins on how much they're underfunding health

care. They're now at 14 cents: 14 cents out of every health care dollar in Ontario comes from the federal government. Initially that was supposed to be a 50-50 split. Every province—and Ontario—has asked the federal government to live up to their end of the bargain and their responsibility.

The NDP has supported us in that call for them to live up to their responsibilities, but not the Ontario Liberals. I think that at a lot of their fundraisers nowadays, federal Liberals come out and support them and that helps them get some people to their fundraisers. Maybe they don't want to upset the applecart. That's a sad commentary, because they should be standing up for Ontario citizens. They did that today, actually. In a resolution on the police, they finally stood up to their federal cousins, but I think it was a pretty easy thing for them to stand up to. I wish the Liberals would do that. I wish the Liberals would stop insulting taxpayers.

I've spoken about just a very small number of the programs we've introduced or expanded in Ontario. There are all kinds of housing subsidies for the disabled. There is all kinds of income support through the ODSP program. There are billions of dollars, over \$6 billion a year, that Ontario taxpayers spend on helping Ontarians with disabilities in this province. For Mr Parsons or members opposite to say that taxpayers are turning their backs on government is untrue. I just explained and showed you a raft of reasons why they're not turning their backs. For the member opposite, Mr Peters, to say that members of the disabled community have been hoodwinked, I hope he comes back and apologizes for that comment because it's insulting. It says that they can't think for themselves, that they couldn't read this legislation, that they couldn't look at the program Minister Jackson laid before them. They decided they liked it. To say they were hoodwinked says they're not capable of making up their own minds and their own decisions, and I think he should come back and apologize.

So I support this legislation. As Mr LaBute from the Ontarians with Disabilities Act Committee says, "I believe in moving forward with the purpose and working together to reach a common goal. The proposed Ontarians with Disabilities Act incorporates this philosophy and offers a level of commitment that is unprecedented in Canada." Unless you're going to stand up and put your money where your mouth is, come up with a big thick report, actually take a stand on an issue and make a recommendation, maybe introduce a bill of your own, unless you're going to do that, sit down.

**The Acting Speaker (Mr Michael A. Brown):** Before we go to questions and comments, I've been greatly disturbed this evening. We are using members' names constantly when we should be using their ridings. As you know, the standing orders and our traditions call for that. Let's just remind ourselves that using the riding name is the proper way to address each other.

Questions and comments?

2030

**Mr Richard Patten (Ottawa Centre):** Thank you very much, Mr Speaker; a good point.

I would like to respond to the member from Niagara Falls, who is, I think, one of the more considerate and thoughtful members in this House.

**Mr Bradley:** He'll put that in his literature. I wouldn't say that. Take it back.

**Mr Patten:** No, I've been on committee with him and I've seen him at work and I think he does his homework on a variety of things. Of course, he has his own bias. He talks about feeling strongly about an insult to taxpayers. Of course, I don't feel the same way; I don't think there is an insult to taxpayers. But I would suggest to him that the rhetoric of his party is always "taxpayers." It seems to me that it's important to talk about the people of Ontario, because when he talks about taxpayers, how do you think seniors feel, who may now be retired—they may be paying tax, they may not be; they may be on a fixed income, they may not be—people who are disabled, people on welfare for a temporary period of time etc? So the rhetoric of the member from Niagara Falls, who I think is frankly a very interesting member, who works hard, continues to use an economic category of analysis or description for people in this jurisdiction.

I would suggest to you that perhaps talking about the people of Ontario, all the people of Ontario, may be the most appropriate thing to have them all consider, to listen, to be able to respond in their own way to what might be appropriate in this House as we deal with those who may be less fortunate because of disabilities or one thing or another. I did want to make that final point.

**Mr Christopherson:** In responding to the comments of the member from Niagara Falls, I found it interesting if not actually gutsy for him to be accusing or challenging the Liberals to "put their money where their mouth is"—a direct quote from his comments—given the fact that there's not a nickel attached to this bill. At the end of the day, removing barriers is going to cost money. It's going to cost somebody money to give 1.5 million Ontarians the rights that they're entitled to. Either new construction is going to pay the price, or on retrofits or on public buildings, and whether it's private money or public money or a combination thereof, it's going to cost money. I thought it took an awful lot of guts for the member to accuse the official opposition of not putting their money where their mouth is. Where's yours? Not a nickel here. In fact, the bit of courage he had in setting himself up for this by making this comment is about the only courageous thing about this bill.

If you go from the point of view that an Ontarian is an Ontarian, that if you have a right to access buildings in Thunder Bay, you ought to have exactly that same right in Windsor, Hamilton, Toronto and everywhere in between. Yet what have you done that's so courageous? You're going to allow municipalities to require new businesses. I've sat on city council. I see former city councillors sitting here. We know the heat they're going to take. You don't have the guts to take the heat. You put it on to municipalities. If you had any courage and conviction, you'd have said point blank, "All new buildings must ... every city, period." Take the initiative. Take the responsibility. It's not here.

**Mr John O'Toole (Durham):** I was intrigued by listening to the member from Niagara Falls. I know the amount of commitment that he personally has taken in his role as parliamentary assistant to Minister Baird in his former role.

I think Minister Jackson deserves to be recognized as taking—although it's a very limited step, I might admit, the most important thing is to recognize that the problem is there and take that first step. If I was to look at Bill 125, which we're discussing, I can't help but think of Minister Baird more recently this summer visiting the Central Seven, which is the homes for the special care group. He was there to make a commitment in capital to provide homes. I think of this in real terms; I think of families with children with special needs. As they grow older and their children grow older, they're no longer able to support them on an ongoing basis. John Baird was there to make sure that Central Seven had the capital to have a home for people with special and attendant care.

More recently, Minister Flaherty, in the budget, also recognized that there was an issue with respect to pay which was somewhat addressed and is addressed, as the member from Niagara Falls said. I also think of Grandview children's treatment centre and the number of children I believe—they put a request in the pre-budget for additional funding for children with special needs. I think it was as much as 20%, and that funding has flowed in the last budget.

If you look again at Bill 125, another thing it really does take action on, more importantly perhaps, is in section 13 of the bill. It says the minister responsible for the administration of the bill is required to establish an accessibility advisory committee.

**Mr Peters:** I accepted the challenge from the member from Niagara to come back into the House. I went back to my office and I watched with interest his comments this evening. I'll tell you that if anybody should stand up and apologize to 1.5 million persons with disabilities in this province, it's the Mike Harris government. Because you have abandoned them and you did hoodwink them. Your government and your minister, Minister Jackson over there, left the impression with the disabled community that this was going to be a piece of legislation that would be in the best interests of persons with disabilities in this province. He left the impression with individuals in this province that those 11 principles that were unanimously endorsed in this Legislature were going to be included in this legislation.

So if anybody should stand up and apologize to 1.5 million individuals in this province, it's you, it's the Harris government, because you've abandoned persons with disabilities in this province. You can stand up all you want and talk about all the wonderful things you've done with money. We hear about the dollars for individuals with special needs in this province, with developmental disabilities. Do you know that money that the minister announced? I think it would be really good to have the auditor go out and do an audit, and look at where that money went, and go have a look at John

Baird's riding and see how much money went into his riding, and see how much money went to London. Do you know how much money? Four new spaces.

You're telling me you're committed to persons with disabilities across this province? That's a joke. You have abandoned them. The honourable member talked in his comments about his own advisory committee that exists within the community of Niagara Falls. You go sit down and talk to those individuals and you find out, now that they've had an opportunity to read this legislation and look at what's not in this legislation, they do see how you have abandoned them and they do see how you've hoodwinked them.

I think you should be ashamed of that, because this was a piece of legislation that obviously had unanimous support all around this Legislature for the past six years, and you stood back and abandoned 1.5 million persons in this province.

**The Acting Speaker:** Response?

**Mr Maves:** I'd like to thank all the members for responding to my comments.

To the member from Elgin-Middlesex-London, I was hopeful when you came back in that you would indeed apologize. You said a lot; you spoke really fast. I listened closely. You still didn't.

To the member from Hamilton West, put your money where your mouth is. My whole entire speech was about the \$6 billion that taxpayers spend annually on helping Ontarians with disabilities, including retail sales tax breaks, the \$100-million assistive devices programs and the tax incentives for businesses to make their workplaces more accessible.

To the member from Ottawa Centre, who said, "I wish the member opposite, the member for Niagara Falls, would consider the people, not just the economics and all the money that you've invested in this area for people with disabilities in the province of Ontario," I would just say, I think I did speak about the people. I did speak from first-hand knowledge, for instance, of my tour of about 15 cities, meeting with adults with developmental disabilities, their parents, their caregivers in community living facilities, day programs, respite programs, work experience programs. They came and said we needed an investment again. I went back to John Baird and said, "John, they do need an investment," and John went to the Minister of Finance and said, "They do need an investment." The Minister of Finance, in the last budget, did come through with a large investment for that sector. That was about people. That was about going out, seeing people, asking them what their needs were, realizing that they had those needs and responding.

That has happened again and again. It happened with adults with physical disabilities. Children's treatment centres was another example I gave.

2040

**The Acting Speaker:** Further debate?

**Mr Bradley:** Mr Speaker, I'll be sharing my time with the member for Prescott-Russell.

In my first remarks, I would like to indicate that I am at least relieved to find that we have some kind of legislation before the House to debate. We had a promise from the Premier of this province, made in 1995, that we would have a meaningful Ontario act dealing with people with disabilities. You know how you always hear the Conservatives say, "A promise made, a promise kept," and there's a certain segment of the media who buy that. I must say, they've been quite successful in perpetrating that myth upon the people of this province. When you're in politics, you have a little bit of I guess envy of that ability to perpetrate a myth of that kind on the people of this province. They have said it on many occasions. If you keep saying it enough, then when you read a national columnist who doesn't cover this Legislature, even the national columnist will then continue to perpetrate that myth, in this case not only perpetrate but perpetuate that myth to the people of this province.

That was a promise that was broken. We had a sham of an act brought forward by the honourable Isabel Bassett, then the member for St Paul's, who was not allowed to bring forward a bill which had teeth in it. People with disabilities in this province, or indeed in any other jurisdiction, are deserving of the right to live their lives as others do. This is not a privilege we grant to them. This instead is a right, surely, that people have as human beings. They had to fight for this for a long time.

I can recall my days on St Catharines city council where, when it was proposed by people with disabilities that the curbs be cut so that wheelchairs could go down or up when you reach the sidewalk, there were many people who said at that time, "We can't do that because vehicles will be jumping the curb, then, and causing great problems." Arguments were made in that silly a fashion against what people with disabilities were proposing.

Around the world, particularly where there are the financial resources to implement it, we have wanted to see people with disabilities have the same rights as others. I think of it in education, where there are many physical barriers to people accessing the kind of education they would like to have and are deserving of.

We have in the field of transportation the same situation. One need only look at the subway system in Toronto to see that it's certainly not accessible to people with disabilities. A little complaint here on the other side is that very often the escalator is going the wrong way. I could never figure out an escalator going down, for instance, in a subway. It should virtually always be going up. But for people with disabilities, they would appreciate having a way to access the subway system.

Our buses now are equipped to deal with people who have physical disabilities. We have a service that, while it is better than what used to be the case, is not what people with disabilities would like it to be. I'm talking about a special transit service for people with disabilities, the paratransit, as it's called. I thank the people within our communities who have made a financial contribution to the capital cost. There are many organizations, just to mention one, such as the Royal Canadian Legion and so

many others in our communities who've made that contribution, but that has had to come from the volunteer sector, along with the transit commission locally. We would like to see that service enhanced and expanded, and indeed what many people with disabilities would say is, "We would even prefer if you would make the so-called regular service accessible to those of us who have physical disabilities."

I think it's important to do it right when we bring forward a bill of this kind. Perhaps somewhere along the line the government will significantly modify the bill to make it acceptable to people who, upon reflection, have found the bill wanting in many ways. Certainly there are those out there who are so desperate for some kind of legislation that is a start that they might be prepared to endorse this piece of legislation as a beginning, but many find it, as I say, wanting in many different ways.

I want to thank my colleagues—and you'll forgive me, because you just told the House that we should be using ridings. The problem is, the riding names keep changing, so I'll ask for your forgiveness in this particular case, Mr Speaker, when I mention my colleague Mr Peters and my colleague Mr Duncan, who brought forward a resolution in this House. I remember because I gave up my spot in the time for private members' public business to allow him to present the resolution because I thought it was timely and important that we do so. And Mr Parsons—so we've had three. I thank you for your forbearance. I know members of the House, like myself, sometimes have to scramble to look at the specific names of the new ridings.

I would like to thank my own colleagues. There are probably people on the government side who should be thanked. That's why we have government speakers, to thank themselves.

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** We don't do that on this side.

**Mr Bradley:** To my friend from Brockville, Leeds-Grenville or whatever the new name of the riding is, when I get asked by the news media, who will sometimes say, "Don't you say anything good about the government, or do you not have a good comment on the budget?" I say, "Well, phone Bart Maves, the member for Niagara Falls. He will tell you why the budget is good, and I will find perhaps the deficiencies in it." I may find certain aspects of the budget to be acceptable or supportable, but I know that in the limited amount of time I have, my role as a member of the opposition is to explain where I think it's deficient, where it might be better, and a member of the government has the role of extolling the virtues of that budget.

I know that other members have mentioned, with justification, the fact that municipalities, at least municipalities of over 10,000 people, have certain obligations that they must meet. This is a classic case of downloading, not because the government is requiring that municipalities undertake certain activities to make themselves much more acceptable in terms of the quality of life for people with disabilities but because they do so

without providing the financial resources. We know that municipalities largely depend upon the property tax, which does not take into account a person's ability to pay. They require that property tax to fund what they are doing outside of the now skyrocketing user fees they're forced to impose on people in the municipalities because of the downloading of responsibility from this province to municipalities.

I'll tell you, the people on the front line take all the flak, and that is as it has been, I suppose, for some time, because they're the people you can get at. For instance, in my riding this week there are discussions taking place about the closing of community schools, schools within neighbourhoods. It's easy to get at the local trustees and blame the local trustees, and indeed they have to make the final decision. But it's really the funding formula imposed upon boards of education for keeping local schools, neighbourhood schools, open that is the villain in the piece. I draw that as an analogy with the requirement being imposed upon municipalities, justifiably, in this legislation; but what they require, then, is assistance with the financial resources. Where are they going to get the money?

The provincial government in this province has decided that instead of investing in matters of this kind, in the implementation of this piece of legislation, they are going to give a tax cut to the rich in the province: a \$2.2-billion tax cut for the corporations; an at least \$300-million tax break for voucher education, that is, for people sending their kids to private schools; and then yet another income tax cut in the province.

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If you knock on doors and ask people, "Would you like a tax cut?" the immediate reaction most people will give is, "Sure, I'd love it," until you explain the consequences of that tax cut. Nobody today, outside of a few genuine and ardent supporters of this government, believes this theory about, "If only you cut these corporation taxes, we are going to get much more back in revenue." Nobody believes that, even the most conservative economists.

I've quoted many times my friend Dr Joseph Kushner, who has been called by columnists in a local newspaper Dr Negative and Professor No, or Dr No and Professor Negative—I can't decide which—and Frosty the No-man and so on because in his 26 years on St Catharines city council he has been the voice of frugality when it comes to local taxpayers. He has been the voice of caution. He has indicated clearly—he once said this at council when they were talking about the tax cut previously—that the combination of tax cuts and expenditure cuts by the government is in fact contractionary. He said that any economist worth his salt will tell you that.

Yet this government tries to, again, perpetrate upon the people of this province the myth that somehow all these tax cuts are going to bring back more revenues. The Minister of Finance will get up and say, "Well, look, over the last six years it has brought in all this additional revenue." That was the booming economy in the United

States. There would have been even more revenue, so that we would not have had to put the province in over \$20 billion in additional debt under the Conservatives, which we did, if indeed they had awaited the implementation of their tax cuts until such time as they had the budget balanced.

I see my friend from Bruce-Grey-Owen Sound, my friend Bill Murdoch here. I'm not supposed to use the names. I know that. I'm going to be reprimanded for that. I think it was that member and the now Minister of Labour, the now Speaker, the member for Oakville, and I think Mr Arnott—again, I break the rule, but it is Waterloo-Wellington, I'm sure, in this case. I know you want me to—

**The Acting Speaker:** You've been pushing this for quite a while. No more.

**Mr Bradley:** They've been members a longer time. They said, "Look, wait until you've got the budget balanced; then implement your tax cuts." But instead this government borrowed money to give tax cuts. What happened was that the debt of the province went way up. If you said that to the national commentators, they would stare at you blankly and say, "Surely the debt of the province didn't go up under the Conservatives." It went up \$22 billion under the Conservatives because they did not listen to the cautioning of at least four members—maybe more I don't know about—who said, "OK. We're in favour of tax cuts, but wait till you've got the budget balanced. Then we don't add to the debt. It doesn't make sense." Also, they recognized that if you're going to do that, you'd have to cut these budgets.

The Minister of the Environment is here. She had to accept the consequences of all these cuts when she took over the ministry. She has now been able to secure, as a result of the pressure of the opposition I'm sure, more funding for her ministry. But she now recognizes that the Minister of Finance will be wielding an axe at the Ministry of the Environment again.

Why do I mention all these things in the context of this particular piece of legislation? It's because there are some provisions in this legislation that are good, and it is wanting in many ways. I say that because the implementation is going to be rather interesting without the necessary provincial funding.

I would think that we could find that money, for instance, if the government quit its blatant political advertising. I appeared on a Global television show back when Robert Fisher was on Global. The member for Oakville, who is now the Speaker, was—I won't say defending the government position; he was there to explain the government position. He was honest enough to say on that occasion that even he found it hard to accept the kind of government advertising we were seeing. What do we hear now? There's more advertising. They're advertising the advertising. They're saying, with their television ads, "Wait till you get On, this magazine that's coming to you with a picture of the Premier." It won't be the one of his golfing in Florida that the Toronto Star got; it will be a very favourable-looking

photograph of the Premier. I'm saying that if you took the money you were going to give away to the richest people in the province in tax cuts, and if you took the money you're going to spend on government advertising and invested part of it in the implementation of this bill, I think the applause for the bill would be much louder and much more sincere. So I urge that on the government.

I want to pick one aspect of the bill to deal with, and that is the implementation of its provisions. I also lament the fact that it leaves the private sector almost untouched, unlike the American bill that deals with people with disabilities, because I think the private sector has an obligation as well.

I promised that I would share with my colleague from Prescott-Russell some of the time this evening to talk about this bill, so I'm going to yield the floor at this time to my good friend.

**The Acting Speaker:** The member for Prescott-Russell.

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) :** Je voudrais juste apporter une correction : c'est Glengarry-Prescott-Russell. It used to be Prescott and Russell; now it is Glengarry-Prescott-Russell. I want to make sure that this region is not forgotten.

C'est toujours un plaisir de prendre la parole et débattre un projet de loi. La raison pour laquelle nous débattons un projet de loi de la sorte, c'est afin d'informer le public le mieux possible sur le contenu du projet de loi.

Ce projet de loi est intitulé Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois. Ce projet de loi est attendu depuis plus de six ans. C'est une des promesses qui faisaient partie de la plate-forme électorale du gouvernement Harris en 1995. Je peux dire que voilà déjà six ans et quatre mois, aujourd'hui nous arrivons avec ce projet de loi qui a été déposé parce qu'un membre du Parti libéral de l'Ontario, le député de Windsor-St Clair, a mis des pressions sur le gouvernement afin qu'on vienne avec ce projet de loi-là.

Lorsque nous regardons le projet de loi, on peut dire que ce projet de loi n'a pas de dents. We say in English that this bill has no teeth. The reason I say this bill has no teeth is that we refer too often—je vais lire quelques passages dans ce projet de loi : « Le gouvernement ... en consultation. » En consultation ? Il faut dire que le gouvernement donnera les responsabilités aux conseils municipaux de mettre sur pied un comité, mais je passais à travers le projet de loi et je me demande, quels seront les critères que ce comité-là doit avoir en place ? Je continue : « ... lorsque cela est techniquement possible. » Techniquement possible ? Quelle est la définition de « techniquement » lorsque je demande à une personne handicapée, « lorsque cela est techniquement possible », encore une fois ? « Le gouvernement peut inclure des exigences... » Encore là, on dit « peut inclure ». Je dis toujours que c'est un projet de loi qui n'a pas de dents.

Je continue encore. À l'article 11 : « Le lieutenant-gouverneur en conseil peut, par règlement, désigner des

organisations, ou des catégories d'organisations, à ajouter à l'annexe ou à l'en retirer. » Donc, encore une fois, c'est autant dire qu'on peut faire ça, mais le tout sera décidé par le comité qui sera mis en place.

Lorsque je regarde le projet de loi dans son entier, je peux voir que oui, à quelques endroits tels que l'article numéro 3, nous référons à des amendes qui vont au-delà de 300 \$ à 5 000 \$, qui auparavant étaient de 60 \$ et non plus de 500 \$. Mais dans plusieurs endroits, lorsque nous regardons le moment où il s'agit des stationnements pour les personnes handicapées, on réfère seulement à 300 \$. On ne réfère jamais aux 5 000 \$.

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Je peux dire que oui, ce gouvernement a l'habitude de présenter des projets de loi mais ne met jamais en place la loi telle que prescrite dans le projet de loi. Je parlais cet après-midi à Manon Le Paven, qui est la présidente du comité des services en français à Toronto. Elle me disait qu'au 85, L'Esplanade ici même à Toronto, nous avons un bloc appartements de 130 logis. Seulement 16 en sont conçus pour les handicapés. Nous regardons le centre d'accueil Héritage : un appartement sur 135 logis. Où sont les critères déjà établis, qu'on nous disait, pour la protection de nos handicapés ?

Je parlais aussi, la semaine dernière, avec la ministre responsable pour les services de longue durée dans nos résidences de personnes âgées. Elle nous disait que la consultation avait été faite. J'ai traversé pour lui demander, où avons-nous fait les consultations ? Il est rare que nous prenons le temps de nous rendre dans le secteur rural pour connaître les besoins des personnes qui sont prises dans des situations comme celles-ci dans le secteur rural.

**The Acting Speaker:** Questions, comments?

**Mr Tony Martin (Sault Ste Marie):** I appreciate the opportunity this evening to follow on what I thought were very good presentations by the member for St Catharines and the member for Glengarry-Prescott-Russell. The member for St Catharines focused on the issue of implementation. It's interesting, because this morning there was a very important press conference in this building by a number of groups that represent the disabled in Ontario. They had a very simple and yet clear message for the government, and it was primarily around the question of implementation, because they want this bill to work. They want things in this bill that indicate to them a seriousness, which they've yet to detect, that this government will make sure that those things they set out for municipalities and other government organizations to do are enforceable, that there are penalties in place if that in fact doesn't happen.

One of the issues they raised as well that I think is important to put on the table here tonight in terms of implementation is that it seems to be focused almost solely on issues of mobility and access for people with mobility challenges. They're saying that they hope this government is going to be willing to expand this legislation to guarantee that it will deal with and provide opportunity for every form of disability in this province,

whether it be a mental disability, a physical disability, a disability of hearing or seeing or whatever, that it takes in the whole realm. They don't see at this point that in fact this bill does that. So the minister perhaps, in his opportunity to talk to us for two minutes, may want to comment on that. They said that.

They also hope that the government is going to be willing to accept significant amendments to the bill and that they will be willing to go out across the province and listen to people in the recess, the January, February, March period when the House is not sitting.

**Hon Mr Jackson:** First of all I want to acknowledge the comments by the member for St Catharines and the member for Glengarry-Prescott-Russell. At the outset, I would like to commend the member for Glengarry-Prescott-Russell because he's the first member in this House who actually held the bill in his hand and made reference to it. It is particularly important, given the fact that the critic for the Liberal Party has consumed one hour of this House's time without ever once specifically referencing the bill, and yet the member, in the brief time that was presented to him, whether he was critical of it or not, at least was dealing with the substance of this bill.

We have indicated very clearly that this bill creates some unprecedented opportunities in Ontario. Particularly, nowhere in North America can we find any legislation which specifically empowers the disabilities community to set regulations. The member opposite alluded to that, and I appreciate his bringing that to our attention. He has expressed legitimate concerns about whether or not the legislation is clear enough about the authority that the disabilities community has. I commend the member for Glengarry-Prescott-Russell because he understands—and he's been one of the first members to acknowledge that in fact this legislation does empower them to do that. We will welcome any friendly amendments that help clarify that point if it gives additional comfort and satisfaction to those people. But the fundamental principle is that this legislation contains the opportunity for the disabilities community to make those decisions. The ADA in the United States doesn't include it. There is no legislation in Canada and there's no legislation in the United States that includes this important opportunity, and I want to commend the member for Glengarry-Prescott-Russell—

**The Acting Speaker:** Thank you.

**Mr Gravelle:** I want to compliment the member for St Catharines and the member for Glengarry-Prescott-Russell for their thoughtful remarks. I think it is important to state that one of the concerns we all have is that we've all been quite desperate to have this legislation brought forward. There have been many remarks made in the House throughout the evening trying to compare who did what, when or who didn't do what, when in terms of bringing forward legislation. Indeed, this government did make a commitment back in 1995, and it took this long to bring forward this legislation. It has taken six and a half years to get to this point.

Yes, there are some organizations that want to move forward with this legislation. I will acknowledge that.

But the concerns that are being expressed by many people are exacerbated by the fact that now we are seeing a process whereby the next time this bill is called, it will be for a time allocation measure. The debate will be cut off. We will have an immediate vote on second reading and we will then be going to public hearings. We are glad we are going to public hearings, but it is happening awfully quickly. We are not going to enough communities. I don't think we are giving the disabilities community enough time. They've made that very clear to me. They would like to have more time to examine the bill and more time to put forward their presentations.

By December 7, the public hearings will be concluded. By December 11, we will have clause-by-clause discussion and amendments will come forward. I would really hope that the minister—I appreciate his being in the House tonight—will genuinely listen to some of the amendments, because there are some important amendments that very much need to be made. What we all fear is that these amendments will not be accepted because, as has been referenced by several members, this bill in and of itself deals more strictly with disability issues related to mobility. I had a meeting last week in Thunder Bay with the disabilities community, and the deaf community came out in large numbers, very concerned about the legislation. We have these suspicions and we have these concerns, and I do think this is being put through the Legislature way too quickly.

**Mr Christopherson:** The member from St Catharines underscored and talked about the requirements of municipalities under the bill. The minister, just a few minutes ago, said he was so impressed when people stood up and held the bill and pointed to it. Well, here you go: I'm holding it, I'm pointing to it and I'm making reference to sections 15, 16 and the attached schedule. The attached schedule, of course, is a list of everybody whom you are telling to do the job that, quite frankly, you ought to be doing with this bill. This is in the schedule, Minister. I'm actually holding the bill. Remember, the thing that impresses you so much? You tell every district school board, every hospital, every board of governors of a college and every university in Ontario that they are required to present accessibility plans to this government. Where are the timelines? Where are the goals? Most importantly, where's the money going to come from? You're not putting up a dime.

When I challenged the member from Niagara Falls earlier, he rattled off a whole list of other line items, but nothing attached to this bill. I said earlier, and no government member has refuted it, that at the end of the day this is a measure that costs money. Giving disabled persons their rights costs money, much like democracy itself costs money. You're not providing it, but you are really good at dictating what everybody else has to do. Given the downloading that you've dropped on every district school board, every hospital, every college and every university, how are they supposed to pay for it? What other programs will the disabled and the general population not be able to access because they've got to divert

money—except that you don't force anybody to do anything anyway. There you go, Minister; I pointed to the bill, but it is still empty.

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**The Acting Speaker:** Response.

**Mr Bradley:** On behalf of the member for Glengarry-Prescott-Russell and myself, I appreciate the remarks that were made by members of the House. I want to say that the member for Hamilton West again identifies and underlines the important part of the implementation, and that is the funding. He has schools in his community that are closing at the present time because of another funding formula. Now those boards are going to be asked to find money to implement the provisions of this bill, so it's going to make things even worse unless they get financial assistance from the province.

The member for Thunder Bay-Superior North talked about, I think wisely, the amount of consultation now that the bill is before us and the need for people to be able to evaluate it and its implications and make recommendations on how it can be improved. The member for Burlington talked about those of us who have not held the bill in our hands. I hold the bill in my hand once again and I would say—

**Hon Mr Jackson:** But you haven't read it.

**Mr Bradley:** He makes accusations, as he did against the Liberal critic in this field in this Legislature. This comes from my good friend, who is very objective in these matters. He doesn't have a vested interest. The member for Sault Ste Marie told me this evening that the Liberal critic in this case dissected this bill section by section, totally contrary to what the minister just told this House. He has no vested interest in making Liberals look good. He's a fair-minded member who wanted to contradict what the minister had to say. I respect the member for Sault Ste Marie for saying that and for talking about its enforceability and its implementation, as he should.

**The Acting Speaker:** Further debate?

**Mrs Tina R. Molinari (Thornhill):** I am pleased tonight to be able to participate in the discussion of Bill 125, the Ontarians with Disabilities Act, 2001.

I want to first start by congratulating the minister, Cam Jackson, for bringing this bill forward, because it's in essence a bill that will benefit all Ontarians with disabilities across the province. So I want to congratulate him for all of the work that he's done in the consultation process in bringing this bill forward and putting it together.

With this bill, the government is moving dramatically to increase independence and opportunity for persons with disabilities. We are, again, keeping our promise, and persons with disabilities will now have more of a say than ever in decisions which affect their lives. We have embarked on a journey whose destination is a society where old barriers are removed and no new barriers will ever be created. We will not rest until we arrive at this destination. Our government has made a special commitment to persons with disabilities, a commitment that builds and has gone forward.

Ontario is recognized as a leader in services for persons with disabilities. Our foundation of legislation and services for persons with disabilities, including the federal Charter of Rights and Freedoms and the Ontario Human Rights Code, is considered the strongest in North America. But barriers do remain. We must finish the job.

Ontario can no longer afford to deny persons with disabilities the fullness of citizenship and human experience. What do I really mean when I say that?

It means getting in and around a community safely. It means the right to get into the local library or the local recreation centre. The right to attend and participate in town hall meetings, in council meetings. The right to go to the local mall or Main Street and shop for essentials. The right to participate as any other individual in Ontario can. It means being able to eat in a restaurant of choice, getting a job that nurtures your skill, travelling to the next community and getting around there safely. The right to live as independently as possible.

Those are the things that so many people in society enjoy every day, the real and tangible things that make a life full.

The people of Ontario are fair and inclusive. Their attitudes have been shifting for some time now. They know there is a problem and that the time has come to set it right. Our government believes Ontario must build on this momentum to move forward with the province, to move forward with this legislation.

Persons with disabilities represent a significant and growing part of our population. Today, according to Statistics Canada, more than 1.6 million Ontarians have disabilities. As our population ages, the proportion of persons with disabilities increases. Two decades from now, it's estimated that nearly 20% of the population will have a disability. That's one in every five people. And that's just persons with disabilities. Accessibility challenges also affect the millions of parents, grandparents, families, friends, neighbours, co-workers and professionals who are involved with disabled persons on a daily basis.

When you look at these figures, it becomes clear that enhancing the ability of persons with disabilities to have equal access to opportunity, to live an independent life and to make a contribution to their community will have a significant positive impact on the province's future prosperity.

It has been estimated, for example, that the potential spending power of Canadians with disabilities is as much as \$20 billion to \$25 billion per year. Measures that improve accessibility and opportunity are consequently bound to generate significant economic benefits for all Ontarians.

But you and I know that the moral argument supercedes all other arguments here. The values that attract people to Ontario—tolerance and fairness, equality and justice—are those values most strongly offended by a continued failure to act on behalf of persons with disabilities. If our words are to have meaning, then we should act.

The minister did act. On November 1 the Minister of Citizenship unveiled Independence and Opportunity: Ontario's Framework for Change for Persons with Disabilities. The vision statement affirms our society's determination to work for an Ontario where old barriers are removed and no new ones are created, to work for that future of independence and opportunity that persons with disabilities so richly deserve.

Let me read a portion from it:

"The people of Ontario support the right of every person with a disability to live as independently as possible, to enjoy equal opportunity and to participate fully in every aspect of life in our province.

"We believe that the dignity and worth of all Ontarians should be respected and valued.

"We have a responsibility to ensure that persons with disabilities share the same rights, freedoms and obligations as every Ontarian. This is a responsibility which rests with every government, every region, every institution, every association, every sector and every person in Ontario....

"The government of Ontario pledges to work in partnership with Ontarians to build on what we have already achieved together. We will move steadily towards a province in which no new barriers to persons with disabilities are created and existing ones are removed."

That's from Independence and Opportunity: The Vision We Share. It is signed by the Premier and the Minister of Citizenship.

The vision is going to be widely displayed. It will be framed and you will find it in government buildings, schools, hospitals, municipal buildings, hotels and thousands of other places.

Our government consulted with more than 100 individuals and groups, persons with disabilities, municipalities, the broader public sector and the private sector. I hosted a consultation in my own riding, a round table that dealt with Ontarians with disabilities. I'm proud to say that some of the ideas that came out of the round table in Thornhill are incorporated in this legislation today. So I can tell my constituents of Thornhill that not only am I listening as their representative, I'm bringing the issues forward to the minister and the minister has incorporated them into this bill.

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One of the issues that came out of the Thornhill consultation was the issue around handicapped parking. That is addressed in this bill. The municipalities should be more involved in how persons with disabilities are put into society, so they are integrated and able to have access to all the things that everyone else can access.

We believe that a gradual but steady commitment to increasing accessibility is the responsible choice. We believe in moving forward together while remaining flexible, sharing what works and breaking new ground.

We believe these days will be looked back on decades from now as being pivotal in the drive for full accessibility, opportunity and independence for persons with disabilities, and for their many friends and families and

caregivers. We have a clear, sensible strategy here that sets reachable objectives. We have embarked on a co-ordinated, concentrated effort to bring real and tangible change to the daily lives of millions of people.

I urge this House to vote in favour of this legislation, because this legislation has had clear consultation from people across the province. I encourage those in this House to read the legislation and see how inclusive it is, how all the municipalities will be working toward finding ways to include, each in their own municipalities, something that is not standard province-wide; it has to be looked at on an individual municipality basis. I was pleased to be able to host it in my riding with some of my constituents who have disabilities.

**The Acting Speaker:** Questions or comments?

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I appreciate the commitment the member for Thornhill has expressed in the remarks she has made on this bill tonight. I accept that her commitment is very real and genuine. I would suspect, given the depth of concern she's demonstrated in her remarks tonight, that she must, if she could be honest about it, be somewhat disappointed that her own government has not reflected the same degree of commitment in its legislation that she has spoken to tonight. I am sure she wishes that the kind of commitment she has spoken to as being the government's commitment was in fact reflected in substantive differences that would be made for the disabled community through this bill. But I can't find it.

I suspect the member for Thornhill was embarrassed with the first iteration of this government's disability bill, the long-promised disability bill. It was, as I recall, two pages of absolutely nothing, no commitment, no substance, no real direction even.

I look at this new bill, and as I reference the bill and hold it up for the minister who is still in the House to see, I see that it is somewhat more substantive in terms of the number of pages it contains, but is significantly lacking in any real substance in terms of clearly stated goals, in terms of measurable outcomes for any level of government, and most particularly the provincial level of government is completely devoid of any commitment to the resources that would be necessary to ensure that the non-goals could be achieved, if they were goals, and is absolutely devoid of any enforcement, because what is there here to enforce?

I will use one example. If I had more time in my two minutes I could refer to specific parts of the legislation. I have in my riding—I think it's probably true throughout a good part of northwestern Ontario—a significant hard-of-hearing and deaf population. There is one interpreter. I ask the member opposite and I ask the minister to tell me what in this legislation will compel the government to provide additional interpretation for the deaf in my community.

**Mr Christopherson:** I'm pleased to respond to the remarks of the member for Thornhill. Actually I thought the beginning of her speech was well written. Certainly they were nice words and they were strung together well.

I jotted down a couple of the thoughts that were there in the early part of her comments. She talked about the desire and the laudable goal—

*Interjection.*

**Mr Christopherson:** Would the Minister of Citizenship stop?

She said that people should have the right to the fullness of citizenship—very laudable, absolutely—that people should be able to eat the meal of their choice at the business of their choice. I'm probably paraphrasing that a bit, but that was the essence of it. The same with shopping. They should be able to shop for what they choose at the business of their choosing. The reason I mention these very lofty words at the beginning of her speech is that I wasn't sure what bill she was referring to. When I listen to the speech and I look at the bill, the two don't fit. It's again more of saying one thing but legislating quite another. There's very little in the goals she described that I or anybody else would disagree with, but if you look to the bill, that doesn't happen.

The fullness of citizenship: there is no new requirement that new buildings have to be accessible. You told municipalities that they can be the heavies with their local business, but you won't do it as a government. And if municipalities choose not to, for whatever reason, it means it's not going to happen. I would ask the member how, without insisting that new buildings are accessible, you're providing the fullness of citizenship to citizens who will be denied access to some new buildings that aren't accessible?

**The Acting Speaker:** Questions or comments?

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise this evening to speak to Bill 125, the Ontarians with Disabilities Act, 2001. I want to compliment the member for Thornhill for her comments. She's done a phenomenal job as the member from that area. I'd also like to compliment the Minister of Citizenship, Minister Jackson, for his work on this for a long period of time and for his foresight.

When we look back over many decades, this bill is long overdue. I can understand, opposition members here this evening, that you don't like good news. This bill complements what Ontarians for many years have expected of a government.

Today we have this bill in front of us. There's some good debate on it. I understand the positive and negative comments I've heard from all members of the House. But the fact of the matter is that it's long overdue; it's something we expect of our government. Maybe there should be some massaging or some amendments; I don't know. The fact of the matter is that it's here, and it's healthy that we have the opportunity to debate this evening.

I'd also like to take this opportunity to thank the minister for the fact that he amended a bill this afternoon for Mr McGuinty. I thought that it was positive. I compliment Mr McGuinty for coming forward with the bill, but I'm glad that my Minister of Citizenship, Minister Jackson, saw the opportunity to complete that resolution,

to make that motion more complete and more positive for the ratepayers of our province.

In closing and taking a few words, I'd like to thank everybody for supporting this bill, and I fully expect everyone will support this Ontarians with Disability Act, 2001.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I too am prepared to offer some comments on the statements made by the member for Thornhill. As well, the member for Barrie has made some statements that I think need to be referenced tonight.

The member said that this bill is long overdue, and I couldn't agree with you more. In fact, in 1995 your leader, Mike Harris, promised the people of Ontario that he would introduce an Ontarians with Disabilities Act and make it a law in his first term. That concluded in 1999 and there was no law. I certainly know, within the community of people who have disabilities, how profoundly disappointed they were when Mike Harris broke that promise to them. So I agree that this bill is long overdue.

What I'm so very disappointed with, however, is that while again we see a bill from the government that has a wonderful title—if one were to read the titles of the bills that have been introduced by this government, one would think that we lived in Utopia. This bill is entitled An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts, and it strikes me as strange. I would suggest to members of the government who think this is such a great piece of legislation to talk about the stakeholder groups that you know, persons with disabilities in Ontario who think this bill should be supported, because we're hearing from them and they're saying that it is not good legislation and that you need to improve it. That's what we're here to tell you tonight.

**The Acting Speaker:** We'll have response from the member from Thornhill.

**Mrs Molinari:** I'm pleased to respond to the members for Thunder Bay-Atikokan, Hamilton West, Simcoe North and Hastings-Frontenac-Lennox and Addington. Thank you very much for contributing in the debate here this evening.

Just to clarify some of the points that were made: one was commitment to resources. I just want to put on the record that the commitment to resources from this government to persons with disabilities has been very consistent. As a matter of fact, I can talk about Thornhill. We have the arena centre; there is now an elder home for persons aging with disabilities supported by the Ministry of Community and Social Services. We also have a home for youth with autism and there's been money invested in that. So there definitely have been contributions for persons with disabilities. It doesn't necessarily have to be in a piece of legislation that's the Ontarians with Disabilities Act. The commitment is there, and it has been from this government for a long time. The member for Hastings-Frontenac-Lennox and Addington talked about

a promise. Well, we did make a promise and it's here. This is what we promised, with all due respect to the member.

This bill also talks about the municipalities and their involvement, because one size does not fit all. We need to have the municipalities involved in breaking down barriers for persons with disabilities. They will develop an accessibility plan. The accessibility plan shall address the identification, removal and prevention of barriers to

persons with disabilities in their municipal bylaws. There is also in the legislation a report on the measures the municipality has taken to identify, remove and prevent barriers to persons with disabilities. Clearly, the municipalities have to take a partnership in this.

**The Acting Speaker:** It being well past 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2133.*

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 21 November 2001

Mercredi 21 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 21 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 21 novembre 2001

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### COMMUNITY CARE ACCESS CENTRES

**Mr Bruce Crozier (Essex):** With Bill 130, the Community Care Access Corporations Act, 2001, the immediate impact on Ontario's 43 community care access centres will be that CCACs will need approval of the minister to: convey or purchase interest in property; enter into or amend any contract longer than one year; incur any financial liability or obligation longer than one year; make any payment to terminate an employment relationship, except as provided in a contract or collective agreement already in force; appoint any manager; or amend any bylaw. The approval of the minister may be in advance or retroactive. The minister can attach conditions and restrictions to any approval. The minister can demand documents, records and/or information on a deadline, and the penalty for not following the above can be a fine of \$25,000.

Community care access corporations and the board members and health caregivers who make them work provide vital services to our communities. These individuals are dedicated to service and work tirelessly to ensure that the ill and frail receive the care they need. They don't deserve to be treated with such disrespect. They don't deserve the implied and absolutely false accusation that they're not doing their jobs. They don't deserve a government that is more willing to sacrifice quality client care in order to further its political agendas and reward its friends. Bill 130 should be withdrawn.

#### ARCHITECTURE AND URBAN DESIGN AWARD

**Mr Rosario Marchese (Trinity-Spadina):** I want to congratulate the Harbord Village Residents' Association on winning honourable mention in the city of Toronto's Architecture and Urban Design Awards in the category "Visions and Master Plans." Their project, College Street Creative Landscape for Making a Living, examines ways to revitalize the commercial streetscape between Bathurst Street and Spadina Avenue by making it more pedestrian-friendly.

I also want to congratulate Brown and Storey Architects, who developed the plan for the residents' association. James Brown and Kim Storey, partners in life as well as profession, are two extremely talented architects who live in my riding. This is not the first time they've been honoured for their contributions to making Toronto a better city. One of the jurors, architect Peter Ellis, said of their entry, "Some of the simplest urban designs are often the most effective. The College Street plan would go a long way to restore a pedestrian scale through properly scaled sidewalks, street furniture and trees, simple ingredients that go a long way to making our cities more livable."

This project illustrates the important role citizens play in making Toronto a better place to live. Once again, my congratulations to everyone involved in this project.

#### HEALTH CARE

**Mr Steve Gilchrist (Scarborough East):** Last week, I, along with the Minister of Health and more than 250 volunteers, staff and patients of the Rouge Valley Health System, celebrated the delivery of a new MRI. The addition of a new magnetic resonance imaging device is the latest investment into quality health care in my community and in fact all of the eastern GTA.

When we were elected in 1995, Scarborough residents did not have local access to an MRI. With this delivery, Scarborough residents have not one, but two MRIs they can now use.

Successive Liberal and NDP governments failed to provide the residents of my community with this important diagnostic tool. At the same time, the federal Liberals, with 101 members here in Ontario, continue to slash health care funding to Ontario and the Liberal MPPs opposite do nothing and say nothing.

Last Wednesday, the Minister of Health also rewarded the Rouge Valley Health System with a stand-alone angioplasty service, which will be serving the people of the eastern GTA by April 2002, the last step before full cardiac services.

This year alone, my community has benefited from the addition of a new breast cancer screening clinic, millions in additional health care funding, funds for improved medical equipment, the addition of hundreds of new long-term-care beds, the delivery of a new MRI, and a new stand-alone angioplasty clinic.

I want to thank not only the volunteers but also the staff of the Rouge Valley Health System, the nurses,

doctors, administrators and all those who helped make these investments possible by offering a professional, well-managed, first-rate health care experience.

### CHILD CARE

**Mr Richard Patten (Ottawa Centre):** Today I'd like to address the leaked proposal for the Minister of Social Services to cut funding to child care. The planned cuts of \$200 million represents a little less than half the total child care budget. In Ottawa, as in many other locations across the province, the cuts will have a devastating effect on an already threadbare operation. In the Ottawa area, we currently have thousands of children on waiting lists.

Sonia Smee, a single parent from my riding, put it this way: "I wish the minister's question to his staff was a King Solomon's riddle. If we cut child care funding by 40%, which portion would you take away?"

Let there be no mistake. This province is already very far behind other jurisdictions in Canada, especially Quebec and British Columbia. This government gladly took \$114 million last year from the federal government as part of the social contract for early childhood development, and not one cent of it has found its way into the system. Yet this government has room to carry forward a \$2.2-billion tax cut.

Monday, the minister stated that this planned cut was "insignificant" and hadn't yet "reached his desk." The truth is, this government has no vision for child care whatsoever. Child care is desperately underfunded and there is no comprehensive plan in place, nor will there be before the next election.

This government has an embarrassing record of neglect in child care, and we look forward to the opportunity of correcting that after the next election.

### DOMESTIC VIOLENCE COURTS

**Mr Doug Galt (Northumberland):** I rise in the House today to address the important issue of domestic violence. Every day in Ontario, assault charges are being filed as a result of domestic disputes. Often, the victim is afraid of reporting the incident and must travel long distances if charges are pursued.

This is why I am pleased to see this government add the town of Cobourg to the list of 55 communities across Ontario which will receive a court specifically geared toward domestic violence. The new Cobourg court will be part of the domestic violence court program created in 1996 under our government. The program will offer a variety of coordinated services. Some of these include specialized investigations by the police to obtain evidence, prosecution of repeat offenders by specialized crown attorneys, and support services for victims through an assistance program for victims and witnesses.

It is indeed extremely important that effective steps are taken to protect these victims, whether it be through the domestic violence court program, the victim support

line, or through legal services. I expect the establishment of local domestic violence courts to further uphold the rights of these victims. My constituents of Northumberland look forward to the improved court services.

1340

### SNOWMOBILING

**Mr John Gerretsen (Kingston and the Islands):** As the first snow falls in many parts of Ontario and many Ontarians and tourists from across the world are getting ready to enjoy another season of fantastic snowmobiling on Ontario's many varied trails, it is once again time to remind Ontarians of another broken promise by the Harris government.

During public hearings and debate on Bill 101, an act dealing with the promotion of snowmobile sustainability and enforcement, the government made a commitment to Ontario's anglers and hunters that they would receive full exemption under the bill, allowing them to use snowmobiles along traditional use trails without the necessity of licensing.

When it became apparent last month that the government was about to renege on its commitment to the 450,000 licensed hunters and the over two million anglers in Ontario, the Ontario Federation of Anglers and Hunters requested in writing urgent meetings with the ministers of tourism and transportation and the Solicitor General, without success.

The parliamentary assistant to the Minister of Tourism stated on a number of occasions that there should be a degree of trust in government and that it would outline this exemption in regulations. He, on behalf of the government, during various meetings repeated the commitment to provide anglers and hunters across the province with an exemption. Regulation 185/01 does not include our anglers and hunters.

Tourism and its economic benefits have suffered enough in this province over the past two months. The government must truly do all it can to bolster and boost tourism and not hurt it any further. We demand that the government rectify the situation immediately. Time is of the essence; winter is on its way.

**Mr Joseph Spina (Brampton Centre):** So don't tell a lie.

**The Speaker (Hon Gary Carr):** Member for Brampton Centre, I heard that. You're going to have to withdraw that remark.

**Mr Spina:** I withdraw the statement, Speaker.

**The Speaker:** Thank you very much to the member. Sorry. We are now to members' statements again.

### SOUTH ASIAN COMMUNITY

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is my pleasure to rise and inform all members and the audience watching at home that tomorrow morning at 11 am, Bill 98, the South Asian Heritage Act, 2001, will come to the floor of this chamber for debate.

This is no ordinary bill. It is an opportunity for all members of the Ontario Legislature to come together, not as members of political parties but as members of this great chamber, so steeped in history and pride, to recognize the contributions of Ontario's South Asian community.

This bill is not simply my bill, but is a bill that all members of the Legislature should take pride in as we jointly proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day. As we prepare to debate the bill tomorrow morning, I would like to inform the members of the House that this is the first such bill in Canada. Our actions and words tomorrow will lay the foundations for annual celebrations across our province for years to come.

From small communities and humble beginnings, Ontario's South Asian community has lived and worked in Ontario since the early part of the 20th century. Tomorrow morning, as Bill 98 comes to the floor, it would be very fitting for all members of the Legislature to rise and join with me in formally recognizing the contributions of Ontario's South Asian community.

#### EDUCATION TAX CREDIT

**Mr Gerard Kennedy (Parkdale-High Park):** I rise today to take note, for the public of Ontario, of the utter confusion on the government benches. We have had pronouncements, starting last spring, with the finance minister talking about private school tax credits as a good idea, and absolute silence from the education minister in doing anything to defend public education. Latterly, we've had opinions from the health minister, now also running for leader, from the former finance minister and from their various acolytes.

This is an example of how the governing party is tripping over its own ideology and is unfit to govern. As objectionable as it was to see the original position of putting public money into private schools, it's even more objectionable to see what happens when the ideology starts to unravel.

Would that any of the ministers so named, and the other people involved in this discussion and debate on the other side, would spend one tenth of that time on public education in the first place, the very job their constituents sent them here to do. They would spend the time on the lack of books that is happening in Wellington and on the large class sizes that have been made to happen this year in our high schools all around the province because this government couldn't ratchet itself down to do its job. There is the absolute horror of the special education funding process this government has put in place that has trapped the people in this province away from the services they need. They have put it instead into the requirements of a centralized government that has no real value on public education and what it accomplishes. There is the variety of useless initiatives this government would impose on schools and teachers and school boards, none of which are going to help our kids learn.

We wish that this government would put its focus where it belongs, on the needs of our students and not on their ideology, and that it would not put any public money into private schools.

#### GOVERNMENT PROCESS

**Mrs Tina R. Molinari (Thornhill):** Last week, during constituency week, I was given the opportunity to visit close to 10 schools in my riding of Thornhill. I'm proud to say that I was able to talk with close to 1,000 young Ontario students about the Ontario government and my role as an MPP. I visited with grade 4 and 5 students who were very excited to learn about the provincial government from someone with hands-on experience, as the subject is introduced in the Ontario curriculum in these grades.

It was a great opportunity to hear what some children in my riding thought about the government and what they knew about government in Ontario.

I would like to recognize at this time the great job that the teachers in Thornhill are doing, because I was very impressed with the way they were able to answer the questions I asked them. I also want to thank the children and teachers of Woodland public school, St Anthony, Toronto Waldorf School, Stornoway public school, Louis-Honoré Fréchette, Yorkhill public school, St Joseph the Worker, Brownridge public school and Ventura public school for having me as a guest last week.

I look forward to visiting the schools in the future, as I enjoyed speaking with the grades 4 and 5 as they learn about the Ontario curriculum. I certainly hope to be invited back.

#### VISITORS

**Mr Rick Bartolucci (Sudbury):** On a point of order, Mr Speaker: I am sure you will want to recognize the 50-plus people from Hamilton East who have come out, led by Mrs Theresa Agostino, mother of Dominic Agostino.

**The Speaker (Hon Gary Carr):** It's always a pleasure to see Mrs Agostino. I know she watches faithfully, and we're pleased to have her here today.

It is not a point of order, just like if I announced that my mother- and father-in-law were here it wouldn't be a point of order as well. But we're all, I'm sure, going to be on our best behaviour with all our families here today.

A point of order, the member for Windsor-St Clair.

#### MINISTER'S COMMENTS

**Mr Dwight Duncan (Windsor-St Clair):** I rise today on a point of order pursuant to standing order 13 and want to reference comments made in this House yesterday by the Solicitor General.

Responding to a question from my colleague from Sudbury, the Solicitor General said, and I quote from Hansard, referencing the police memorial, "This is the party, the Liberals, that spoke out against the expense—

they didn't want the expense of building a police memorial."

The Solicitor General then went on to say, and again I quote from Hansard, "I believe it was also the Liberal government, when they were in power, that refused to go to the funeral of a slain" police "officer."

It is my assertion, Mr Speaker, that both statements are factually wrong. The challenge, sir, and this is where I seek your guidance, is how to address a factual error of this nature. The rules do not allow me to accuse another member of this House of uttering a false or inaccurate statement. The rules do permit a member to rise and correct his or her own record. But to my knowledge, there is no mechanism available to any member whereby one member can ask that another member be held accountable for statements with respect to either the veracity or accuracy of statements made in this House.

With respect to the first comments, Mr Speaker, it should be pointed out that not only did the Liberal caucus of the day support the establishment of the police memorial; we in fact granted unanimous consent to allow the resolution that was presented to this House to be given without notice. We again voted unanimously in favour of that. The two members who were referenced in the minister's press release were in fact present in the House that day and in fact agreed to the unanimous consent.

It should be further noted that there was an article in a newspaper two months prior to that that did reference the total amounts to be spent on that memorial but did not oppose the memorial in any way, shape or form.

With respect to the second comment, Mr Speaker, there is no record that any government in the history of this province has refused, either deliberately or inadvertently, to attend the funeral of a slain police officer. No one we contacted who has a recollection of those days could recall such a situation.

Further, there is no reference in any media to the refusal of the government of the day to attend such a funeral. In fact, there were a number of funerals for both slain police officers and others who had died, not necessarily in the line of duty, that were in fact attended not only by members of the government of the day but by members of the opposition parties of the day.

In your deliberations, Mr Speaker, I would ask you to consider the findings of the public service committee of the British House of Commons resolution of 1995, that said, and I will keep it brief, "Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister; ministers should be as open as possible with Parliament, refusing to provide information"—or accurately disclose such should cause their resignation.

Marleau and Montpetit also referenced the importance of ministers not making comments that are deliberately provocative so as not to upset the order or decorum of the House.

*Interjection.*

**Mr Duncan:** They laugh, but it's a serious matter.

I ask you, sir, to consider these and give us some guidance with how we might be able to, at a minimum, ask the minister if he would retract those comments in this House today.

1350

**The Speaker (Hon Gary Carr):** I thank the member. Standing order 13(a) does talk about preserving order and decorum. I was not here, but sometimes when statements like that are made it is difficult for the Speaker of the day to control.

It isn't a point of order. However, having said that, we are all honourable members, and if the Solicitor General would like to withdraw, he certainly has the opportunity. I see the Solicitor General to comment on that.

**Hon David Turnbull (Solicitor General):** Mr Speaker, let me say that, with respect to yesterday's answer, it was never my intention to be partisan. I realize that it has come out as being partisan.

*Interjection.*

**Hon Mr Turnbull:** Perhaps you'll want to listen to the answer.

It was certainly my recollection that the police were concerned that the Solicitor General and the Premier of the day did not attend that funeral. I have in fact contacted, through one of my staff, the person who was the executive director of the OPPA at the time, who expressed his disappointment to the Deputy Solicitor General of the day that the attendance was not there. Perhaps I inadvertently said that he refused. In that respect I withdraw that, but I know that in fact they did not attend.

With respect to the police memorial, I have in fact the newspaper clipping here in which it says that both MPP Mike Colle and MPP David Caplan were critical of the amount of expenditures on the police memorial.

**Mr Mike Colle (Eglinton-Lawrence):** That's not true.

**Hon Mr Turnbull:** This is in the newspapers. This is reported.

Let me say that I'm pleased that the Liberals are now onside, supportive of the police, but—

*Interjections.*

**The Speaker:** Solicitor General.

I thought he was going to do something—

**Mr James J. Bradley (St Catharines):** You have the decency to withdraw it today. It's a dirty, cheap shot and you know it.

**The Speaker:** It makes it very difficult to keep order. I thought the Solicitor General was going to try to help the situation. It does make it very, very difficult.

I think everybody knows, in circumstances like this with the death of a police officer, there isn't anybody who would not attend. I know there are circumstances—that might not be what happened. Regardless of all the parties involved, there isn't anybody who wouldn't have shown respect.

But it does make it difficult to remain and have decorum in here when people make statements like that. I

would ask all members to reflect on that and try to maintain some sort of semblance of order in here.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the 16th report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

### ARTHUR WISHART AMENDMENT ACT (FRANCHISE DISCLOSURE), 2001

LOI DE 2001

### MODIFIANT LA LOI ARTHUR WISHART SUR LA DIVULGATION RELATIVE AUX FRANCHISES

Mr Martin moved first reading of the following bill:

Bill 138, An Act to amend the Arthur Wishart Act (Franchise Disclosure), 2000 / Projet de loi 138, Loi modifiant la Loi Arthur Wishart de 2000 sur la divulgation relative aux franchises.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Tony Martin (Sault Ste Marie):** This bill will amend the current legislation to include regulations for fair dealings after the contract is signed. With the enactment of this bill, a franchisor could no longer refuse renewal of a franchise agreement without six months' written notice, fair compensation and the right of the franchisee to pursue a similar business in the same location. It would also protect a franchisee from unilateral termination of the contract before the expiry date without cause and proper written notice. The bill will also set out a fair process for mediation if the two parties cannot come to an agreement on their own.

## ORAL QUESTIONS

### EDUCATION TAX CREDIT

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Education, who was here just a moment ago. Here she is.

Minister, you tell us now that you're going to be making further cuts to public education. Representatives

of the government are generally now telling us that we're into an economic downturn, that we're going to have a drop in revenues, and that necessitates further cuts to public education. At the same time, you're telling us that you're going to go ahead with your private school tax credit. You're going to pour millions of precious public dollars, the few public dollars that we have, into private schools.

Here's what the Toronto Sun had to say about that: "The Tories cannot cut so much as a blackboard eraser in the public system so long as they're paying for children in private schools." Madam Minister, how can you possibly be planning more cuts to public education at the same time that you're planning to spend millions on private schools?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I'm pleased to see the honourable member is now reading the Toronto Sun. First of all, our commitments to public education and health care in this province stand, as does our stand to be good fiscal managers of the money the taxpayers give us. We've made a commitment to balance our budget and we will indeed do that. We've made a commitment to have health and education as our priorities and we will indeed do that.

**Mr McGuinty:** There has been no evidence over the last six and a half painful years of any commitment on your part supporting a vibrant public education system. Today you will know that in cabinet you discussed attaching some kinds of strings to the private school tax credit. Strings won't work and you know it. Either you believe in sending public money to private schools or you don't. Unlike you and Ernie Eves, I don't and I won't. Public money for private schools can't be fixed by way of regulation and it can't be fixed by attaching some strings. It can only be fixed by repealing the entire mess, as we will.

Madam Minister, will you do what you know is the right thing in your heart of hearts, and repeal the private school tax credit?

**Hon Mrs Ecker:** I'm sorry I missed you sitting at the table at cabinet today, so I'm not quite sure how you would know what did or did not occur at a cabinet meeting.

First of all, this government has increased funding for public education from \$12.9 billion to \$13.8 billion above enrolment growth because we know it is a very important priority. We've also got more of that money in classrooms as opposed to being in administration—again, a commitment we made, a commitment we delivered on.

On this side of the House, we also respect parental choice. We respect parental choice in the public system, we respect parental choice if they want to home-school their children and we respect parental choice if they're sending their children to independent schools. That remains the commitment of this government and we will indeed do what we said we would do.

**Mr McGuinty:** You can understand if we're finding it difficult to keep track of your commitments. Here's

something I'm in full agreement with, a statement I'll just read back to you: "... extending funding to religious private schools would result in fragmentation of the education system in Ontario and undermine the goal of universal access to education." That was particularly well said. Do you know who said that? You said that. You were right then and you are wrong today.

Certifying private school teachers won't make this right. Mandating a private school curriculum won't make this right. The only thing that will make this right is a full, outright and absolute repeal of the private school tax credit.

Madam Minister, why don't you do what you know to be in your heart of hearts and that you committed to earlier on as the right thing to do? Why don't you repeal the private school tax credit?

1400

**Hon Mrs Ecker:** We understand that the Liberals say they respect parental choice. We understand that the Liberals say they think parents are important in the education of their children. But when they actually have to demonstrate it, when they actually have to go out and say, "Yes, parents, we do believe you have some ability to make decisions in the best interests of your children," they back off, they waffle, they don't support parental choice.

The only thing that is going to undermine public education in this province is the attitude and approach that the honourable members in the Liberal Party take to reduce standards, to not have higher standards in curriculum, to not have higher standards for teachers, to not have higher standards and help our students meet them. That is what this government is doing in public education. We will continue to do that, because this is about improved student learning in our public education system. I'm surprised they have so little faith in the ability of our public education system to meet those goals.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Attorney General, who is just heading to his seat. It is on the Premier's testimony today, behind closed doors, on the Ipperwash situation. You know that we strongly believe that a public inquiry is the proper approach. The government has refused to agree to that. The government has said that the civil case will serve many of the same purposes. It's critical that the public have a clear record of what transpires today and in the next few days behind closed doors. Will you provide, Attorney General, your assurance that the government will agree to make public the transcripts of the Premier's testimony today and the next few days?

**Hon David Young (Attorney General, minister responsible for native affairs):** As the member may be aware and should be aware before he poses a question like this, there is no provision within the rules of civil procedure to allow for those transcripts to be distributed to politicians simply because they have a desire to know

certain information before a trial. In fact, if one considers the rules of civil procedure and considers the freedom of information and privacy legislation in this province, one will very quickly understand that it wouldn't be possible for the government to distribute that information even if we had the desire to do so, even if we had the desire to interfere with the fair and impartial judicial system, which we do not.

**Mr Phillips:** In the debate in the Legislature on May 14th, Attorney General, when we were debating whether or not the Legislature should approve a public inquiry, you argued strenuously against it. One of the reasons you argued against it was, and I quote here—you were saying that the transcripts would be made public. You said, "Although the oral examinations for discovery are conducted behind closed doors, so to speak ... the transcripts from that proceeding from the court file can be and normally are accessible to the public." That's what you said when you argued against the public inquiry in favour of a civil case.

I say to you again, Minister, will you give your assurance that you will follow through on what you said on May 14th and that the transcripts from the proceedings today can be and will be made available and accessible to the public?

**Hon Mr Young:** It's very dangerous for people to dabble at this, as the member opposite is doing. Let's be very clear. Transcripts from examinations for discovery are generally used, and it is in the normal course that they are used, at trial. Either party can submit to the judge the transcript from an examination for discovery. They are transcripts of a pre-trial procedure where the parties are being examined. It goes on every day within the province of Ontario. It is good for Ontarians, it's good for all Ontarians, except when there is a political agenda, as is the case with the member opposite, except when the member opposite is far more interested in advancing his political agenda than he is in getting at the truth.

I, for one, have great confidence that the courts of this province are a perfect place to get at the truth. I, for one, have great confidence in the judicial system, and I know the defendants in this lawsuit are looking forward to having their day in court.

**Mr Phillips:** When we debated in the House whether we should have a public inquiry or not, you very clearly said the transcripts from the hearings, the discovery, would be made public. The public assumed that those transcripts would be made available as this process went along and we would know what went on behind closed doors. It's clear to all of us that the appropriate approach must be a public inquiry. Doing this behind closed doors, dragging it out for years, at the expense of millions of dollars of taxpayers' money, fighting a family of modest means, is totally inappropriate. Attorney General, will you agree today to do the proper thing? Will you agree today to stop proceeding with this civil case and will you agree to call a full public inquiry into the events around Ipperwash?

**Hon Mr Young:** The civil trial, the court case that's underway now, which is being overseen by an impartial, independent judge, is the same court case that is examining the same issues that would be reviewed at any public inquiry. What my friend opposite is suggesting, as best I can understand, is that we suspend that court case. The trial should never take place, in his opinion. Why? Well, I'm not sure why, but I, for one, look forward to the trial. I know the defendants look forward to the trial. If we were to suspend that civil proceeding now and call an inquiry, the only thing that would result is that my friends over there would wave a banner and suggest this is a great political victory. But we would be no closer to the truth; in fact, we'd be further away from it because we would be starting a whole new proceeding afresh, as opposed to simply completing the proceeding that is underway.

### ONTARIO POWER GENERATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. Minister, your dirty deal to privatize Ontario Power Generation includes incredible increases in pay for the corporation's executives. You recruited Graham Brown to Ontario Power Generation from the United Kingdom, where he was paid \$1.8 million to leave his job at National Power. At Ontario Power Generation, Mr Brown, as chief operating officer, will receive salaries and bonuses of a million dollars a year. But what is really galling is that if Ontario Power Generation is not privatized by 2003, he will receive a million dollars just to leave his job, a million dollars to go out the door. Minister, do you approve of these million-dollar giveaways to the executive officers you've recruited to Ontario Power Generation?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** We've recruited some of the best people from around the world to turn the old Ontario Hydro around and to put its successor company, Ontario Power Generation, on a firm business foundation. It has done exactly that.

Mr Brown's compensation package and his severance package, if that were to come to be, is consistent with the international community. You will find that studies were done by Ontario Power Generation before that compensation was set by the board. It was not set by the government. It was set by the board and the board members, and we have great confidence in that board. They are turning around that corporation. It has produced record profits and dividends for the people of Ontario. It's helping to pay down that massive \$38-billion debt that the NDP and Liberals left us.

**Mr Hampton:** Maybe you can explain this. When Mr Brown left National Power in the United Kingdom, he was told to get out the door, he was told to leave, not because he was successful but because the company was not achieving the results that had been set out, that in fact there was a lack of direction in the corporation. Now you recruit him to Ontario Power Generation, you're going to

pay him a million dollars in salaries and bonuses, and if the corporation isn't privatized by 2003, he gets another million dollars for doing nothing. It's not a severance package. He gets to say, "I want to leave now," and you have to pay him a million dollars. Is this what you call looking after the interests of Ontario taxpayers and ratepayers?

1410

**Hon Mr Wilson:** We were very delighted when Mr Brown agreed to accept employment with Ontario Power Generation. His compensation is certainly in line with anything on a worldwide comparable basis. He is serving the corporation very well, and I, for one, stand behind him and stand behind our board.

I would say that the NDP would have done well to have recruited someone like Mr Brown to help turn around the old Ontario Hydro. They chose not to. They chose to rack up debts. They chose to destroy our power plants to the point where I had to close 10 nuclear reactors, out of 20, when I came to this office four years ago. They left the corporation in disgrace. We have nothing to learn from you, Mr Hampton, or your party and the way they dealt with Ontario Hydro in the past.

**Mr Hampton:** Well, Minister, what we see from reading the Toronto Star and the Toronto Globe and Mail over the last few days is that what you have been doing at Ontario Power Generation is giving away the assets such that Bay Street advisers are telling people, "Buy shares in British Energy because they've taken the Ontario government for a ride. They've received assets, paying far-below-value prices."

But I want to get back to Mr Brown. It is a fact, it is recorded in the media in Great Britain, that he was told, "Leave. You are no longer welcome as the chief executive officer at National Power," and as severance they had to pay him some money. But you've gone out and recruited him for \$1 million a year, and he can choose to walk away in 2003 and you have to pay him \$1 million, even if it's by his choice. It's not severance.

So I ask you again, can you tell the ratepayers and the taxpayers of the province how this is a good deal? And are you going to call Ontario Power Generation on the carpet and ask them why they're giving away \$2 million, potentially, to someone who failed at his job in Great Britain?

**Hon Mr Wilson:** Again the honourable member does not know of what he speaks. The facts that he's presented to this House are not facts at all. Mr Brown was actively recruited from the National Grid corporation. We're lucky to have him. I stand behind him, and he's turned around this corporation. The NDP's big decision when they were in office, their multimillion-dollar man that they brought in, was Maurice Strong. His number one priority was to buy rainforest in Central America, not look after the people of Ontario, not turn Ontario Hydro around but to rack up the debt, rack it up to record levels and buy rainforest in Costa Rica. That's not something Mr Brown's doing and it's not something this government's doing. There's nothing we can learn from you, Mr

Hampton, I assure you. The people of Ontario heard from the NDP, and you left us a disgraceful corporation.

### DOCTOR SHORTAGE

**Ms Shelley Martel (Nickel Belt):** I have a question to the Minister of Health regarding the international medical graduate assessment program. You've said that this program would recognize the abilities of international graduates who haven't been able to practise—

*Interjections.*

**The Speaker (Hon Gary Carr):** We've had our fun but the ministers are having difficulty hearing the question. I know it was fun-loving and everybody was doing it in good humour and that, but we do need to now settle down. Some of the ministers are having trouble hearing the question. If the member could start over, the ministers will be able to hear. Sorry about that.

**Ms Martel:** This question is to the Minister of Health and it's regarding the international medical graduate assessment program. You've said that the program would allow international medical graduates to finally practise in Ontario, and you've also said that underserved areas would benefit because these physicians would practise on restricted licenses in our communities.

You've now received a letter from Dr Koka of Sudbury, who himself was an international medical graduate when he came to Sudbury 15 years ago. He says of the program, "I am totally disappointed to note that:

"(1) You have chosen only four specialties, and the worst shortage specialty, being psychiatry, is not even included.

"(2) You've included that physicians need to be in recent active clinical practice, within the last three years.

"(3) You are excluding people who are trained in the UK, Ireland, South Africa and Australia. These people are very well trained and meet the expectations of training equivalent to training in Canada.

"(4) You have added that the LMCC examination, part 1, be passed as a requirement before physicians can even be considered for the program.

"With all these conditions and with the fact that physicians are required to come and spend a six-month assessment without pay, I have serious doubts that anyone would be willing to go through this difficult process."

Minister, what do you have to say in response to these serious concerns?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question and indeed have discussed these personally with the physician who has been mentioned. I have indicated to him that he has raised some important issues with respect to the rollout of the foreign medical graduate program.

The fact of the matter is that we want to take this program step by step to make sure it is successful, and so we started with certain specialties and fields, with the intention of expanding it in the future. When I explained this to the physician in question, based on my under-

standing of his reaction, he understood my position. He understood that you had to walk before you could run. We came to an agreement that his aspirations for the program were my aspirations for the program, and we'll get there in due course.

**Ms Martel:** If I might, I have spoken to Dr Koka within the last 48 hours. He is not reassured by your comments, and only one of your concerns, of the four that he mentioned, may have been addressed.

The fifth concern, and this is very important to those of us who represent underserved areas, is the following, and I quote again from his letter, which has gone to you: "I was under the impression that these physicians would be sponsored by underserved communities such as Sudbury and other places in Ontario and that, once sponsored, if the selected physicians went through the training assessment and subsequently were successful, then they would be granted a restricted licence to practise in the communities where they were sponsored. There is no such requirement under the current program."

Minister, you have a serious problem. Not only do you have a problem that indeed 40 applicants may not apply because of the four restrictions I have already talked to you about; in fact, even if they do, underserved areas may not benefit at all because there is no requirement for them to practise on a restricted licence in our communities.

If you want to help underserved areas, if you want to help international medical graduates practise in Ontario, what will you do to positively respond to the concerns of Dr Koka?

**Hon Mr Clement:** I'm sorry for the misunderstanding, but I can assure this House that indeed underserved areas and communities can sponsor physicians under this program. They can make them restricted to those particular communities. That's the whole intention of the program. This is an idea that was recommended by the expert panel that was struck by my predecessor. The idea is, starting with 40 and hopefully expanding from there, that we can have a maximum six-month expedited process and certification process for those foreign medical graduates to practise in our underserved areas. So the honourable member is incorrect when she says that is not a precursor or a precondition of the program. I can assure the honourable member that that is the case, and that is going to be the great success of the program.

### TEACHER TESTING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Education again.

**The Speaker (Hon Gary Carr):** Stop the clock. The minister is here. She may have just stepped out for a quick moment.

**Mr McGuinty:** Thank you, Speaker.

Minister, my question is about the growing rift in your cabinet over your education policies. I'm not talking about your \$500-million private school tax credit—we know that was very problematic—and I'm not talking

about Elizabeth Witmer's insightful comments about your incessant fighting with teachers. I must say, in passing, we may be getting more candour and truthfulness from the leadership candidates over the next four or five months regarding Mike Harris's policies than we've had during the past six years.

What I really want to talk about are Tony Clement's latest comments as they appear in the November 16 edition of the *Queen's Journal*. I want to read from that article in reference to Minister Clement. It says the following:

"He said teacher testing is an issue he's not completely prepared to support.

"[Teacher testing] is the most problematic'... said Clement, 'if it's a whole lot of effort for a little change, then it may not be worthwhile as an option.'"

I'm with Tony Clement on this issue. I don't think it's worthwhile. I'm just wondering if you, Madam Minister, are with Tony Clement on this issue.

1420

**Hon Janet Ecker (Minister of Education, Government House Leader):** Actually, Tony Clement and I agree on many, many issues, including teacher testing, because on this side of the House we believe in accountability in the public education system. We believe in setting standards. We believe in measuring. We believe in student testing to make sure our students are learning what they need to learn. We believe in a comprehensive teacher testing program to make sure that all of our teachers are as up to date as possible. Good teachers out there aren't going to notice any change in the rules, because they're already out there doing it. We understand that teachers, just like doctors, nurses, dentists, airline pilots, real estate agents, insurance agents—you name the profession or trade—

**Interjection:** MPPs?

**Hon Mrs Ecker:** Yes, MPPs. We have recertification every four years, whether we want it or not, and we don't get remediation. So accountability, performance appraisals, all of those things are not unique to the teaching profession. This government said we would put in place a program that would raise the standards in our schools. We are indeed delivering on that program. Everyone on this side of the House supports that program.

**Mr McGuinty:** If the minister is truly interested in government accountability, I would refer her to our democratic charter that we put out just a couple of weeks ago. That's what government accountability looks like.

In the interim, Madam Minister, I would suggest that you might want to get together with Tony Clement. I would recommend that you leave Ernie Eves out of the meeting and that you have a discussion about where you're going to go when it comes to teacher recertification. I want to make it clear, I'm with Tony Clement on this. I'm also with Liz Witmer, who is telling us that what this is really all about is an effort to begin a new fight with teachers.

Madam Minister, why don't you take good advice that's coming from people who are sitting right next to

you: Mr Clement and Madam Witmer? Mr Clement says this is not the right way to go if you want to improve teacher accountability; Madam Witmer is telling us that this is really all about picking another fight with teachers. Why don't you just tell us that what this is really all about at heart is not improving teaching in Ontario; it's about picking another fight with teachers?

**Hon Mrs Ecker:** I'm glad the honourable member mentioned his democratic charter, which is all about Americanizing our Canadian parliamentary system. Take a look at the options he put forward.

Anyway, the honourable Liberal leader said that if he were elected, he would require teachers—require teachers—to do professional development. He would require that. That's interesting, because today he says he's against that. Here we go again. His party said they supported the Royal Commission on Learning, which said, "Let's have mandatory professional development and recertification." Today he is against recertification for teachers.

Why is it OK for our students to be tested, our physicians and nurses and doctors and airline pilots and police and all of those individuals who have to meet professional development requirements? How come it's OK for them to have to meet those standards and he doesn't think that our teachers are capable of meeting those standards? This side of the House believes they can, they will, they do that; they go the extra mile for our kids, and our parents would not expect anything less.

## TRAVEL INDUSTRY COMPENSATION FUND

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Consumer and Business Services. It relates to the potentially devastating effect of the recent business failure of Canada 3000 on hundreds of small businesses in this province. I'm referring to the travel agencies and wholesalers registered with the Travel Industry Council of Ontario who, under section 13 of the Travel Industry Act, are liable to compensate consumers if end suppliers fail to provide the travel services they contracted for.

In September of last year, TICO pointed out the unfairness of this liability, as these businesses really have no control over the solvency of end suppliers. To address this concern, TICO proposed that the compensation fund should in fact cover end-supplier failure of airlines and cruise lines.

Minister, could you tell us if you agree with me and many members of this Legislature that that recommendation was in fact fair and reasonable, and can you tell us whether you're prepared to take their advice and implement this change?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** Many members of the Legislature have asked me this question because there are many small travel agents across the province who are presently suffering with regard to the failure of Canada 3000. As the member mentioned, last September, and

actually during the summer, we had been talking to TICO about changing the law with regard to how the compensation fund is applied to a claim. Fortunately the Travel Industry Act allows the cabinet of Ontario to make a regulation to change that relationship so the customer can gain direct access to the compensation fund. I'm happy to report that this morning the cabinet passed a regulation to protect the travel agents and to allow the consumer direct access to the compensation fund.

**Mr Klees:** I'm pleased I gave the minister notice that I would be asking this question, which allowed you to take the initiative in anticipation of the question. In the interest of ensuring a more efficient processing of compensation claims, though, it has been suggested that consumers should be allowed to access the compensation fund directly in the event of end-supply failure. This change would protect not only consumers; it would also protect the registrants who may otherwise face the threat of bankruptcy or insolvency associated with the end-supply failure.

Specifically, I'm pleased you've taken the initiative to change the regulation to give access, but will this in fact allow consumers to make direct application to the fund to streamline that process?

**Hon Mr Sterling:** There will be a dual responsibility to refund what the consumer has paid for a ticket for Canada 3000 services. The travel agent will be responsible to pay back to the consumer that portion of the ticket or the tour for which the travel agent received compensation. In other words, if they received \$30 on a \$300 ticket, then the travel agent is responsible for that portion. This is the same model as they have in British Columbia. The remaining part, the \$270 in my example, would be compensated from the compensation fund, either directly to the customer or through the travel agent.

#### AIR QUALITY

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of the Environment. I had an opportunity earlier this week to hear the Minister of the Environment denouncing her colleagues for being very unfair to teachers in Ontario and wanting a much more moderate government. But I was reading what the Honourable Tony Clement, Minister of Health, had to say about coal-fired plants in Ontario. When he launched his campaign in Brampton, your Minister of Health said the following: "Why do we still have smog-producing coal-fired plants in Ontario and why are raw sewage and chemicals still being dumped into lakes?"

I know you're going to say, "He was Minister of the Environment. Why didn't he fix it up?" But let's put that aside. May I ask you the question the Minister of Health asked? Why do we still have these dirty coal-fired plants in Ontario and are you going to follow his recommendation and get rid of them?

**Mr Gerard Kennedy (Parkdale-High Park):** Wait until Friday and find out.

**Hon Elizabeth Witmer (Minister of the Environment):** Maybe the member opposite does have the best response.

In order to address the issue related to the coal-burning plants in Ontario, the member knows that we have taken one very significant step already, and that is that we will be closing Lakeview as a coal-burning plant in 2005. We have also introduced some very significant standards regarding emissions for the other coal-burning plants as of 2007.

As the member also knows, we presently have an all-party committee taking a look at alternative forms of energy. I understand there was a presentation made to that committee today, and again that committee has an opportunity to take a look at the feasibility of doing a conversion of those coal-burning plants.

1430

**Mr Bradley:** I don't think that answer's going to satisfy the Minister of Health of this province; I really don't. I think it was too vague. It was moving all over the field. I think what he wants to know, I want to know and Jack Gibbons of the Ontario Clean Air Alliance wants to know is—I know you're converting Lakeview and you're still not going to put the best possible equipment in there; I know you're still going to allow Atikokan, Thunder Bay, Lambton and Nanticoke to burn coal, Nanticoke being the largest source of pollution in all of Canada. But I want to ask on behalf of the Honourable Tony Clement, who doesn't have a chance in this House to ask these questions, are you now prepared to convert the coal-fired plants in Ontario to much cleaner gas and thereby have a major impact on the environment and the health of the people of Ontario? Do you agree with the Minister of Health or do you disagree with him?

**Hon Mrs Witmer:** Let me just, in response to the question from the member opposite, respond to Lakeview. As far as Lakeview is concerned, there's new technology being developed each and every day. I would hope that whoever assumes responsibility for Lakeview will put in the technology that obviously is the best technology and will improve environmental air emissions the most.

As far as what's being said regarding improving air quality in the province, I would agree that the committee that is presently taking a look at this issue would carefully examine what can be done in order to ensure that we do have the best air quality in the province.

#### TRAVEL INDUSTRY COMPENSATION FUND

**Mr John Hastings (Etobicoke North):** I have a question for the Minister of Consumer and Business Services, and it relates as well to the airline industry and the debacle of Canada 3000. What we'd like to know is, why has the provincial government been able to effect some travel protection for consumers in this whole area while the federal Grit government has utterly failed to deal with this issue for the last 20 years?

*Interjections.*

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** It may be of some amusement to the members opposite, but some people are not going to be compensated through our compensation fund because they have paid directly to the airline or have ordered their tickets for Canada 3000 over the Internet.

We have no jurisdiction over airlines. We have written to the Minister of Transport in Ottawa, Mr Collenette. Previous governments have written to Ministers of Transport—

*Interjection.*

**Hon Mr Sterling:**—in the Mulroney government, in any federal government—and they have offered no compensation plan for our consumers. They have jurisdiction in this area. They could provide compensation through a small insurance fund, something similar to what we offer here in Ontario, and I think it's long overdue.

**Mr Hastings:** For the edification of our Grit friends across the way, they may think this is a pretty funny issue, but I'd like them to answer why, in the case of one traveller I have, an 80-year-old grandmother who booked on Canada 3000 isn't going to get a penny back under this plan or any other provincial plan, because the federal Grits have failed utterly to provide significant leadership in this area. What kind of an answer am I going to give her regarding this, Minister?

Furthermore, what kind of significant leadership are you going to provide, working with the provinces, to get the feds to act on this issue, since they seem to be completely absent-minded with regard to Canada 3000 and the mess they've made of air monopoly?

**Hon Mr Sterling:** I know the member feels very strongly about this. Unfortunately, I cannot give him a good answer for his constituent. I feel very sorry for her. I did write to Mr Collenette about this particular problem. I intend to raise it with Mr Collenette at the next opportunity I have. It is time that the federal government took some action on this particular matter. Some other provinces don't have the kind of protection that we do in the province of Ontario with regard to ordering tickets through Ontario travel agents. In those other provinces, they could well be served by federal action in this area. They need protection. The federal government should act, and they should act now.

## FRANCHISE BUSINESSES

**Mr Tony Martin (Sault Ste Marie):** My question is also for the Minister of Consumer and Business Services. Twenty-three Grand and Toy franchise owners across Ontario are facing ruin at the hands of a company that just doesn't care. Many of them and their families are here in the House today. They're looking to you for some help. Your legislation fails to stop Grand and Toy from ripping up contracts and locking the doors on these people. Minister, you have laws to stop big corporations from doing that to their workers. Are you saying that a

Conservative government doesn't want to protect small businesspersons? Minister, you promised to consider changes to the legislation if the facts showed it doesn't protect franchisees. Well, the facts have spoken: your law doesn't work. I introduced a bill today that will. Will you support it?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** First of all, no one can rip up a contract and avoid the promises and the conditions of that contract. That's what our laws are about. My understanding is that this matter is before the courts. It is my hope that the Arthur Wishart law will help provide fair dealing as described in the Arthur Wishart Act. I understand from reading the statement of claim in their lawsuit that in fact they plead the Arthur Wishart Act as part of their statement of claim. It is my hope that, as a result of this legal case, we could find out how well the Arthur Wishart Act protects franchisees. As I have promised before, if it does not, then we will have to change the law.

**Mr Martin:** The courts aren't going to work for these people. How many people are you willing to sacrifice? You said you wanted to protect franchisees and we took you at your word. I believe that if you really understand what terrible things are happening to these hard-working people and you look at the changes we are calling for in the act, you will see that you can and should work with the NDP and bring changes in right now, immediately. Minister, the clock is ticking. Will you sit down, at least, and meet with me and the franchisees from Grand and Toy, hear their case and be open to working with us to bring real protection into our laws?

**Hon Mr Sterling:** I find it odd that it took a Conservative government after 1995, when there were other franchise laws in this country and on this continent, to bring in a law to protect franchisees, notwithstanding the fact that of course the NDP government was here from 1990 to 1995.

I feel very sorry for these franchisees. I will do everything in my power to help them. However, if there is a case underway, then as a member of cabinet I cannot interfere directly in that matter until that particular case has finished and been heard by the courts. That's what our courts are for.

I have not seen the member's bill and therefore I cannot say whether I would support it or not. I will look at it, and I will look at it in a positive sense and in a constructive way. I am always, and this government is always, looking for ways to have fair dealing between small business and other people who are involved with small business.

1440

## AUDIOLOGY SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. The brand new Consumer Coalition for Access to Audiological Services came to Queen's Park today. The coalition represents deaf adults, heard-of-hearing seniors and the families of

deaf and hard-of-hearing children. They were here to tell you that three months after you made your cuts to hearing assessments, the results have been disastrous.

Bev Biderman was here. She now has to pay out of her own pocket to maintain the cochlear implant that allows her to hear and speak. She said your government clearly puts no value on hearing or speech. The parents of two-year-old Harrison Quesnel were here. They have spent \$300 on hearing services for their deaf son since the end of August and will have to spend \$500 or \$600 per year until their son is 16, just for assessments. That's in addition to what they will spend for hearing aids, ear moulds, batteries and other hearing accessories.

Minister, last night in this place we debated your government's disabilities act. I ask you today, why do you give lip service to a concern for those with disabilities but deny basic services to the deaf and the hard-of-hearing?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I want to assure this House that nothing could be further from the truth. In fact, we still have insured services involving audiology, involving hearing tests and involving specialists who have access to OHIP. That has been the case for at least the last 30 years and it will be the case in the future as well.

**Mrs McLeod:** Minister, I admit you've caught me by surprise. Maybe you're not aware that you made some slight change to your OHIP schedule for audiology, today, hot off the presses, in view of the fact you're going to be in court on this matter on Monday. Unfortunately the changes you've made are minimal changes. Of the \$7.7 million you cut in audiology services to children and to seniors, you're maybe restoring \$2 million of that. You've done nothing to restore publicly funded hearing evaluations or re-evaluations, nothing for cochlear implants, nothing for the Bev Bidermans of Ontario.

I suggest to you that the only reason you've made this last-minute change today is because you are going to be in court on Monday. You're being taken to court by the Ontario Association for the Deaf, the Ontario Cochlear Implant Support Group, the Voice for Hearing Impaired Children, the Canadian Hearing Society, the Canadian Hard of Hearing Association and a number of deaf and hard-of-hearing individuals. I think Dr Nedzelski of Sunnybrook hospital sums up the position of all these groups and individuals when he says your cuts are reprehensible and unfair because people's hearing problems are compounded because of them.

Minister, why would you rather fight the deaf and the hard-of-hearing in court than deal with them fairly now?

**Hon Mr Clement:** I don't choose to deal with them in that way. I would certainly like to continue whatever dialogue—it's difficult to have a dialogue when you are the defendant in a civil lawsuit, so it prevents me from having the discussion I would like to have with them.

The fact of the matter is that in the discussions that have taken place it became clear, as a result of statements by Liberals and by other opposition parties, that there

was some uncertainty. We cleared up the uncertainty and there has been a lot more satisfaction when we did so. I can only reiterate to this House that hearing tests and evaluations and all of these other aspects of audiology and hearing are still covered under OHIP. They have been covered under OHIP for a number of years and they will continue to be so.

## TRAVEL INDUSTRY COMPENSATION FUND

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is also for the Minister of Consumer and Business Services. This is in regard to the Canada 3000 airline failure and the potential impact on travel agents in Ontario who in good faith booked passengers on this airline. In answer to the member for Oak Ridges, you told us that the province is about to change its rules so that passengers are protected by the TICO compensation plan, but without the extreme risk to the agents that is present in the law today. With this change implemented, agents will want to know if this change will deal with the problems of today. In other words, will the change protect agents who face risks from the Canada 3000 failure or is it only effective for end-supplier failure in the future?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** The Travel Industry Act allows the cabinet to pass a regulation that is set six months retrospectively, so basically the regulation will come into effect as of July 1 and therefore will cover the failure of Canada 3000. Also included in the changes was the increase of a maximum claim by an individual from \$3,500 to \$5,000. This is more important for those people who had ordered, through their travel agent, a tour package and not just an individual ticket. That had not been changed for the last 20 years; and it was thought by the cabinet of Ontario that some people would be caught by the maximum of \$3,500 being just too low at this time.

**Mr Gill:** The organization of the TICO fund is still confusing to some. Given our government's opposition to corporate welfare and given our government's reputation for fiscal responsibility, I know we would not support a bailout of otherwise failing travel agencies. With this in mind, can you explain to this House and my constituents and a number of concerned travel agents I met last week where the money comes from for the expanded protection in the compensation fund that you've discussed today?

**Hon Mr Sterling:** I guess we should understand, of course, that this compensation fund actually is funded by the travel agents themselves. For each \$1,000 worth of business, they pay a certain premium on that, as do the wholesalers in the travel industry. There's some \$23 million now in the compensation fund. That has been accumulated over the last 10 years, with some claims on that compensation fund. This is not taxpayers' dollars; this is the travel industry's dollars. It's an insurance fund

which was put there to take care of these kinds of instances.

So that's why the cabinet felt today that it was only fair to those travel agents who had paid into it that when in fact an airline like Canada 3000 went down, the compensation fund should be up front and paying back. Therefore we are not going to see bankruptcy of a lot of the small travel agencies. I think this is a good day for small business in Ontario.

### EDUCATION FUNDING

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Education. Minister, I want to ask you about the conditions of our schools in the city of Hamilton. The Hamilton-Wentworth District School Board has looked at the state of their schools and they've assessed that they need at least \$27 million for repairs; \$17 million of that is what they classify as urgent, that is, leaky roofs and boiler systems that might not last through the winter. There are many older schools in the older part of the city, inner city schools, that are affected.

These are the same type of neighbourhoods where your funding formula has forced boards in Hamilton, in St Catharines, in other communities across Ontario, to shut schools down. And the schools that are remaining open are being punished by the lack of funding that you're giving.

Minister, we have situations in the city of Hamilton today where when it rains, teachers have to move the desks and move the kids because there's raining in the classroom. That's how bad some of these conditions are. Some of these boilers are not going to last through the winter. Do you believe it is acceptable in Ontario today under your watch for kids to be sitting in classrooms and when it's raining their desks have to be moved so that they don't get wet?

**Hon Janet Ecker (Minister of Education, Government House Leader):** As the honourable member knows, one of the reasons we changed how we fund education is because of the incredible neglect that there had been for school capital, school buildings out there. The funding formula has been in place for about three or four years now. The problems that we are attempting to address with our partners the school boards have been problems that have been deteriorating for many, many, many years.

That's one of the reasons we did the facilities survey. We went out and asked all of the boards, "What are the problems? What are the concerns that we have in the capital needs?" We're in the process right now of developing the best way to work with the boards to meet those capital needs across the province. But the responsibility remains, as it always has, with school boards to make good decisions about how to manage their stock, how to manage those school buildings, how to make the very, very difficult decisions that when populations shift from one neighbourhood to another neighbourhood, they may well have to build a new school here or close a

school there or alter their school buildings. That has always been the responsibility of school boards and will remain so. But we are working with our partners to try and address the capital needs they have.

1450

**Mr Agostino:** Just with the Hamilton board, the annual funding for capital projects has declined by \$8 million since you took over in 1995. So when you talk about improving the capital funding of the system itself from the point of view of repairs, their numbers don't show that. Clearly, Minister, your own survey that you made reference to said, "Through our school facilities survey, we know that there are many schools that are in substandard conditions." That is your own survey; you acknowledged that.

The reality is that strictly in the city of Hamilton, with one board, we need over \$10 million immediately to stop the leaky roofs. It is that simple. Some \$7 million is needed to hopefully keep the boilers working all winter. You can talk all you want about what you've done and your formula and everything else. The reality is that you have kids today sitting in classrooms with leaking roofs over their heads. That is not acceptable. How can you justify putting \$300 million into private schools in the province of Ontario when you have kids today in classrooms with leaky roofs and boilers that are not going to work throughout the winter?

Will you commit today to emergency funding for the school board in Hamilton to fix these roofs, fix these boilers, so these kids can at least have decent conditions and decent standards to learn over the winter months?

**Hon Mrs Ecker:** First of all, to the honourable member, who I know knows this but likes to put out this information just to confuse people, not one dollar has gone from the public education system to independent schools. I really think the record should show some accurate facts just once in a while in this House.

Secondly, the funding formula that we brought in, starting in 1998, was brought in to start addressing some of the problems that past governments had neglected. These problems did not occur overnight. I agree with the honourable member: we have schools in this province that need considerable capital work. Part of that is because they didn't get the capital work in years past that they should have got, so we're trying to catch up. That is an unfortunate state of affairs. We recognize the problem. We're doing the work to address the problem, and we will indeed, with our school board partners, address these issues across this province.

### SKILLS TRAINING

**Mr John O'Toole (Durham):** My question is to the Minister of Training, Colleges and Universities. Minister, yesterday the Conference Board of Canada released its 3rd Annual Innovation Report. This study compares Canada with other countries with respect to education, literacy skills, as well as research and development. In many areas, the report praised our capacity to be in-

novative. The Conference Board highlighted research and development, as well as the percentage of the population who have engaged in post-secondary education. However, the study also criticizes Canada's level of skills training, suggesting that in many industries across our country, finding skilled workers is becoming more important and difficult to industry than securing financing. Minister, what is Ontario doing to ensure that we have the skilled workforce we need to be competitive in a global economy?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** I was at Centennial College this morning, where they're opening a brand new building, in co-operation with two private sector partners—\$38 million from our government and another \$10.5 million from Compaq and others. I will say that these young people are ready to get the right kind of skills training that we need to have and that the employers want them to have.

As we look at the demographics, the technological changes and attitudes, we have to do our job differently, and we must work with our students. In our high schools, we have strengthened the career-oriented programs so that the young people who want to go to work directly after graduation will have some experience while they're still in school. Our private sector partners, the employers who are giving them this opportunity, are extremely important to us.

Ontario Works: so many people who want jobs really do need training, and they are on Ontario Works. We're focusing on giving those opportunities to them. Our secondary school Job Connect program has a 90% success rate.

**Mr O'Toole:** Thank you for the answer to the first part of the question, Minister. I'm very confident that with your leadership in that ministry, you're very much aware of the importance of skills training in our economy. I'm also confident about our partnerships, whether it's Centennial, Durham College or OIT, the recent commitment you've made there.

But we have to start working together. There has to be a strategy for training programs. This involves working with partnerships, and that includes other levels of government. As the Conference Board report made very clear, the federal government should and must address this issue. Minister, what can the federal government contribute to strengthening skills training systems, not just in the province of Ontario but indeed taking the lead in all of Canada?

**Hon Mrs Cunningham:** One of the most important opportunities we have in Ontario right now is to work with the federal government and the federal government to work with Ontario to spend over \$600 million in training more appropriately. We have been discussing this training agreement with the federal government for more than three years. Last May, we in fact did accept the offer from the federal government—

**Mr John Gerretsen (Kingston and the Islands):** Sign the agreement.

**Hon Mrs Cunningham:** The member from Kingston should go to his federal MP and ask him why, when the federal government made the offer to us and we accepted it, they haven't agreed to sign with us.

This is extremely serious. I'm looking at Mr Sorbara now. Maybe, since he's new, he could take this message: Greg, we have received their offer, we have accepted it, and they won't sign on with us. It's very important for apprenticeship—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

New question.

## NORTHERN ONTARIO NEWS COVERAGE

**Mr Gilles Bisson (Timmins-James Bay):** Boy, that one should get an award for not being too brief.

I have a question directly to the Minister of Northern Development and Mines. You will know that this Friday marks the last day that MCTV will be producing local newscasts out of communities like Sault Ste Marie, Timmins and North Bay. All the newscasts now will be put out of Sudbury, which means that all those communities affected are basically going to get lost in the shuffle. It's yet another example of how services are being drawn out of the larger communities and put into other communities, leaving us high and dry.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Sorry to interrupt. The last question is continuing on. I would point out to all members that the member for Timmins-James Bay has the floor. Sorry for the interruption. There was some carrying on from the last question. The member may continue.

**Mr Bisson:** All right. I'll do it again, Speaker, because the minister obviously didn't hear with all the heckling.

I want to bring to the attention of the Minister of Northern Development and Mines, as he well knows, that this Friday is the last day that MCTV will be operating their newsrooms in Sault Ste Marie, Timmins and North Bay. You also know that the CRTC, in the discussions we've had with them, has said that clearly CTV, which runs these stations, is not living up to the spirit of the law when it comes to shutting down those particular stations. This means we are now going to be in a situation where we're losing again much-needed jobs in those communities, but more importantly, those communities are going to be losing a great part of their voice when it comes to being able to pull the communities together and being able to communicate.

Minister, you are our minister at the cabinet table of the province of Ontario. We're asking you a very simple question: are you prepared to go before the CRTC before Friday and intervene on behalf of northerners, as the representative of Ontario at the Ontario cabinet table?

**Hon Dan Newman (Minister of Northern Development and Mines):** The member raises the issue of MCTV and the coverage it has across northern Ontario.

He is correct that that decision will affect many people who work for MCTV. But I am told that MCTV will continue with its coverage of the north. There will be reporters in northern Ontario covering all the events that happen in the north. That will continue.

With respect to the CRTC, that is a federally regulated body. We are there with this MCTV issue.

## PETITIONS

### EDUCATION FUNDING

**The Speaker (Hon Gary Carr):** It's now time for petitions. The member for St Catharines.

**Mr James J. Bradley (St Catharines):** Thank you very much, Mr Speaker. I'm glad that your mother-in-law and father-in-law are here today to watch you in action. You've been doing a very good job.

This petition is to the Legislative Assembly of Ontario.

"Whereas the Harris government's rigid education funding formula is forcing neighbourhood school closures and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that large schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation and extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships; and

"Whereas small neighbourhood schools in local communities, both rural and urban, serve as an important meeting area for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature. I'm in complete agreement.

1500

### LONDON HEALTH SCIENCES CENTRE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I also sign this petition.

### POST-SECONDARY EDUCATION

**Mr John Hastings (Etobicoke North):** I have a petition here from several people across Ontario dealing with the Saving for Our Children's Future Act, 2001, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas post-secondary education is very important to the development of young adults, to the betterment of society and the economic future of our province; and

"Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

"Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

"Whereas the tax credit proposed in Bill 4, Saving for Our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

"Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP—Ontario Student Awards program—thereby freeing millions of dollars for other OSAP students;

"Therefore, we, the undersigned, hereby respectfully petition the Legislature of Ontario to act quickly to pass Bill 4, Saving for Our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of Ontario children and students."

I proudly do affix my signature to several of these petitions.

### LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** I petition the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, particularly children and those with transplants, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, we, the undersigned," over 500 individuals from southwestern Ontario, "petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people" from such places as Ilderton, Sarnia, St Thomas and London "are not put at risk."

I'm in full support of the petition and have affixed my signature hereto.

#### TENANT PROTECTION

**Mr John O'Toole (Durham):** I'm very pleased once again to read a petition on behalf of my constituents in Durham.

"Whereas we, the residents of 145 Liberty Street South in Bowmanville, wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we, the residents of 145 Liberty Street South in Bowmanville, have invested considerable amounts of money in decorating, upgrading their apartments; and

"Whereas we, the residents of 145 Liberty Street South in Bowmanville, were of the understanding that this was a rental property, not a condominium;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or any other relevant ministry investigate these concerns to ensure that the residents of 145 Liberty Street South in Bowmanville can continue to rent their apartments."

I'm pleased to support this, as well as constituents like Wilma Paul and Carl Raby.

#### AUDIOLOGY SERVICES

**Mr David Caplan (Don Valley East):** I have a petition to the Legislative Assembly of Ontario that is entitled:

"Listen: Our Hearing is Important!

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients" and others "and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

This petition is right on and I agree with it. I have signed my signature to it.

#### EDUCATION TAX CREDIT

**Ms Marilyn Churley (Toronto-Danforth):** I have hundreds of names here on a petition, which reads:

"To the Ontario Legislature:

"Whereas the Harris government is planning to take funds that our public schools desperately need and funnel them to private schools through tax credits; and

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools; and

"Whereas this initiative is in effect a voucher system and is the beginning of the end of quality public education in Ontario,

"Therefore we, the undersigned, call on all members of the Legislature to fight and defeat this attack on the choice parents most want: stability, co-operation and respect in clean, safe public schools."

I will affix my signature because I agree with this petition.

#### CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I am pleased to affix my signature to this petition.

### AUDIOLOGY SERVICES

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** A petition to the Legislative Assembly of Ontario:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I also add my signature.

1510

### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have more signatures on a petition which reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and

siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I will affix my signature because I support this petition.

### CHILDREN'S MEDICAL SERVICES

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the recent events at the London Health Sciences Centre, where 18 programs have been lost due to funding shortages, and in particular, the Children's Hospital of Western Ontario, cause us to be concerned that we may lose medical and surgical subspecialty pediatric services for ourselves and our children;

"Whereas southwestern Ontario is a vital region of the province of Ontario that requires urgent access to pediatric subspecialty services and to travel to other children's health facilities in Ontario would result in serious personal hardship and risk to our children; further, that families would not be eligible for travel grants similar to those provided in northern communities;

"Whereas we have greatly benefited from the expertise in pediatric care provided by Children's Hospital of Western Ontario over the years and we appreciate that we may not be apprised of all the reasons for these physician losses; however, our children deserve to continue to receive the pediatric subspecialty care from the London Health Sciences Centre and Children's Hospital of Western Ontario that our region has depended on for decades;

"Whereas the loss of these services will result in great hardship to the families and seriously endanger the health of our children, we look to you as leaders to address this issue immediately and thoroughly. These times of great uncertainty about children's access to health care is a significant stress to ourselves and our families;

"Therefore, we the undersigned petition the Legislature of Ontario to demand that our government respond immediately to restore these critical services to the citizens of southwestern Ontario."

This petition is signed by a number of residents of Charing Cross, Stoney Point and Chatham, and I too sign this petition.

### EDUCATION PEACE PLAN

**Mr David Caplan (Don Valley East):** This is in fact a very old petition, many of which were returned to me recently. It's a petition to the Legislative Assembly of Ontario.

"Whereas Ontario students are experiencing a disruptive learning environment and currently do not have access to a full range of extracurricular activities;

"Whereas extracurricular activities are an essential part of a quality, well rounded education for our students;

"Whereas Dalton McGuinty has put forth the Students First Education Peace Plan as a positive, viable option in restoring goodwill and extracurricular activities for our students;

"Whereas the Ontario Liberal plan is a reasonable compromise creating benefits for all partners in Ontario's education system, particularly students,

"We, the undersigned, petition the Ontario government to immediately adopt Dalton McGuinty's Students First Education Peace Plan to restore goodwill, quality education and extracurricular activities in our schools."

These residents of Don Valley East certainly know the benefit of a well rounded education. I support this and I have signed this petition.

## ORDERS OF THE DAY

### TIME ALLOCATION

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts, when Bill 125 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on finance and economic affairs; and

That, no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That, the committee shall be authorized to conduct public hearings in Ottawa on Friday, November 30, in Windsor on Monday, December 3, in Toronto on Tuesday, December 4, in Toronto on Wednesday, December 5, in Thunder Bay on Thursday, December 6, and in Sudbury on Friday, December 7; and

That, the committee meet on Tuesday, December 11, 2001, for clause-by-clause consideration of the bill.

That, when meeting in Toronto, the standing committee on finance and economic affairs not meet during routine proceedings;

That, the committee be authorized to meet on December 11, 2001, until completion of clause-by-clause consideration.

That, pursuant to standing order 75(c), the Chair of the standing committee shall establish the deadline for the tabling of amendments or for filing them with the clerk of the committee;

That, at 4 pm on the day of clause-by-clause consideration of the bill, those amendments which have not been moved shall be deemed to have been moved and

the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto;

Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That, the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than December 12, 2001.

In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House; and

That, upon receiving the report of the standing committee on finance and economic affairs, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

That, the order for the third reading may immediately be called; and

That, when the order for third reading is called, one hour shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That, no deferral of the third reading vote pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Acting Speaker (Mr Bert Johnson):** Mr Jackson has moved government notice of motion 93. Debate.

**Hon Mr Jackson:** As you know, we are nearing completion of our second reading date for the Ontarians with Disabilities Act, Bill 125. This has been an historic exchange of views debating proposed legislation which is unique in all of Canada, a bill that would go further than any other in our nation in furthering the cause of persons with disabilities in our province. It is time to move on. The disability community has asked for this legislation. The 1.6 million persons in this province with disabilities are looking to their government to back up its words with actions and we are positioned to do just that.

**1520**

We have an opportunity within our grasp to bring into law one of the most comprehensive steps forward for persons with disabilities that has ever been implemented in our nation—an Ontario law, made-in-Ontario legislation designed for Ontarians, produced by Ontarians, that will illustrate once more why we live in one of the greatest jurisdictions on earth. It is perhaps fitting that this was the province that brought in the first Human Rights Code in North America. It's perhaps why it's

fitting that we're the province to bring in Canada's first disabilities legislation.

It is our government's goal to ensure that all Ontarians, regardless of their birthplace, their gender, their disability, their faith, their race, can participate and enjoy the rich experience that this province has to offer. We want Ontarians to feel a part of the community, to have a sense of pride and connection and strength, to be able to fully participate in the life of their community.

Bill 125 has not been produced without careful consideration. It is the result of careful consultation and thoughtful involvement by disabled persons all across this province. It is their dialogue, it is their suggestions that have found their way into this important legislation. It has been considered very carefully by this government—it was pored over and thoroughly examined—and we are still receiving input from many of the organizations and associations that deliver services directly to persons with disabilities in this province. This process, right from day one, has included input from persons with disabilities and from those who are charged in our society with looking after their needs and speaking up on their best interests and their welfare. Bill 125 does not just talk about persons with disabilities; it includes them as active participants like no other legislation that we can find. We want them to be inclusive in this legislation and not be exclusive of the legislation, which is what has happened in other jurisdictions around the world.

It is my firm belief that any policy or law will work much better when the very people it affects are directly involved and are working with it on a daily basis. Persons with disabilities understand the barriers that they are struggling with and confront on a daily basis. Their knowledge and their experience is the single most important contribution to our understanding of these necessary reforms. They become the province of Ontario's disability lens and they become the agents for change, helping to set the guidelines, the mandatory terms of reference and time frames for completion of accessibility plans to be implemented in a broad spectrum across our province.

Sadly, some opposition members would like this government to back off, to put this legislation on the back burner—

*Interjections.*

**The Acting Speaker:** Order.

**Hon Mr Jackson:** —to hold another year of consultations and go well into the next year or even beyond. The Liberals, it must be noted, are the very ones who introduced a resolution in 1998 through their member for Windsor-St Clair, demanding that the ODA be completed this year. I would say to the people of Ontario, I have yet to see what the Liberal Party is prepared to do, what they are prepared to commit to, what they are prepared to invest in, what legislation they are prepared to draft. We have received nothing from the Liberal Party except their constant complaining and their negativity.

But there have been some members of their own party who have been put on the record and made comments.

During debate in this House, for example, we heard from their critic, the member for Prince Edward-Hastings, that this bill should be gutted, that it should be torn down and ripped up. He actually ripped it up in the House. The member for Ancaster-Dundas-Flamborough-Aldershot, in making his reference to persons with disabilities, says "I don't care what it costs, we should just spend all the money necessary." Have we heard once from the Liberal Party how they would finance the reforms? I heard the member for St Catharines reference the other day that this will amount to downloading and therefore the province should pay for all these costs. If that's the official position of the Liberal Party, that they are prepared to commit significant dollars, then they should come forward and say so. But we have not received a single commitment.

They say they'd like the Americans with Disabilities Act model, but clearly the members in the Liberal Party have not read the ADA, nor are they familiar with the fact that all buildings in the United States of three floors or less, or 3,000 square feet per floor, are exempt in this legislation. The amount of litigation that's forced through five different government agencies has embroiled what started out as good legislation into a litigious nightmare. Perhaps the opposition parties, led by lawyers, find that to be a perfectly sensible world that the disabilities community would be forced to negotiate through, but frankly, this government sees it entirely differently, and we are responding in the fashion in which the disability community has guided us.

We would like to see the opposition stop pointing fingers and come up with their concrete alternative and their proposal. Clearly, we have from the leader of the Liberal Party his commitment to Americanize our democratic process and change the electoral process, but he can't find five minutes to cobble together some recommendations on what his party's position in support for the disabilities community is. He's spent a lot of time studying the American models on electoral reform, but he has spent precious little time at all that we can see putting his mind around what he and his party would do for persons with disabilities.

I say to the members opposite, do the right thing. Give persons with disabilities the opportunity for full citizenship that they deserve. Give your support to Bill 125 and do your part, even at the amending stages in committee and public hearings, to help make Ontario a leader in Canada.

Dalton McGuinty said in October 2000 that his party had "one hell of an interest in making sure Ontarians with disabilities have every opportunity." If that in fact is the case, I'd like to know what it is. I've asked the critics, his own caucus members who participated in the public hearings the Liberal Party conducted, and we still cannot get from them what their policy would be in this province.

This government will hold further public hearings and take submissions, but we are asking the House to pass Bill 125 before the end of this year. Let's be very clear:

consultations with the disabilities community and its advocates have been going on for years. On the one hand, this government is criticized for taking too long to introduce an Ontarians with Disabilities Act and, on the other, for trying to push it through too quickly.

I want to remind the members that if one were to go to the Ontarians with Disabilities Act Committee Web site, it still calls upon the government to complete this bill immediately. It even suggests that they're counting down the number of days: "Finally, there are now only four days until Friday, November 23, the deadline which the Ontario Legislature sets for a strong and effective ODA to be passed into law. It seems inevitable that the government will break its commitment to meet that deadline." This government will extend that three weeks and hold even more consultations, extending that date past November 23 so we will have this completed by mid-December.

Let's examine, for example, the lead-up to Bill 125, when we talked about this consultation process and the work that's been done to date. A discussion paper was released on July 13, 1998. More than 4,000 copies were circulated to individuals and organizations, with submissions invited by September 4 that year. Those papers were available in large print, Braille, computer disc and audiotape. In August 1998, the Minister of Culture and Recreation, Isabel Bassett, and her parliamentary assistant, Derwyn Shea, met with representatives of disabilities organizations: business, the transportation sector, the building industry, education and training, health care, municipalities and employee labour groups. Those meetings took place in the GTA, Sudbury, Hamilton, London, Peterborough, Ottawa, Windsor and Thunder Bay. Some 249 groups and individuals were consulted and 265 submissions were received.

1530

In March 2000, the Liberals themselves, despite no attempts—

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: As the minister has reminded us, this is a very important motion. Would you check whether or not there is a quorum present to hear the minister's comments in this Legislature?

**The Acting Speaker:** The second part of your preamble is a point of order.

The Chair requests that you check to see if there is a quorum present.

**Clerk Assistant (Ms Deborah Deller):** Quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** Quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the minister.

**Hon Mr Jackson:** In March 2000, the Liberals themselves, despite no attempt to introduce an Ontarians with Disabilities Act during their five years in office, and copying the New Democrats, held consultations of their own in 15 communities, resulting in a report released on November 23 of that year. In the fall of 1999 and into

2000, the then minister, Helen Johns, held meetings with the Ontarians with Disabilities Act Committee, the Canadian Hearing Society, the Canadian National Institute for the Blind, the Ontario March of Dimes, Easter Seals, Children's Hospital of Eastern Ontario, Track 3 Ski Association, the YMCA in London, the Peterborough and District Association for Community Living and the Learning Disabilities Association of Ottawa-Carleton. That's just the short list.

Since my appointment as Minister of Citizenship in February of this year, I have continued the comprehensive efforts of my predecessors and have met with more than 100 groups and individuals. Among the cities I have visited are Windsor, Mississauga, London, Orillia, Sarnia, Owen Sound, Hamilton, Niagara Falls, Ottawa, Thunder Bay, Peterborough, Sudbury, Barrie, and the list goes on. This government has consulted and sought input and advice from thousands of persons with disabilities and their advocates across our province. Our record on seeking input from those persons affected by this legislation has been thorough, detailed, substantial and all-encompassing. Those consultations have, most importantly, shown us that the government currently does not have standards of accessibility. They just simply do not exist, a fact acknowledged by the disability community and their advocates. That important work must begin first. In other words, everyone agrees that action is needed, but nowhere in that action is it stated in actual terms. In other words, we can tell the private sector, hospitals and others that they must be more accessible, but we do not have a standard, code or guidelines which the province has endorsed, approved or made into a law to impose.

It's time to stop talking about what might be done and get down to doing what must be done and, more importantly still, will be done. Bill 125 would give us the means to begin the journey of achieving full citizenship for persons with disabilities in our province and yet there is concern that the Liberal Party will not support this legislation. Their critic, the member for Prince Edward-Hastings, told the media yesterday that it is their party's intention to vote against this bill regardless and, incredibly, that everyone should go back to square one. They want to start all over again.

I'm at a loss as to understand this strategy. The Liberals yell for an Ontarians with Disabilities Act but they don't enact or offer up one of their own. Then, when the most comprehensive Ontarians with Disabilities Act ever formulated in Canada is tabled, they simply oppose it without participating in the clause-by-clause process. This government, after years of investigation, is extending the consultation period by a further three weeks and the opposition parties still criticize these efforts.

Bill 125 has the support of persons with disabilities, but we are ready to talk more and consult further about the amendments they are seeking. We are prepared to work with them. The reality is, though, that we have talked and listened for years and now we are determined to act. What the disabilities community has said very

clearly is that they want an ODA implemented. They want the work begun to stop the creation of any more barriers in our province, and they want the process of a managed plan to remove existing barriers begun. That is what they've asked for.

What individuals in Ontario are looking for is not some privilege, but the simple right to enjoy the same kind of life that others in our society enjoy in terms of access to housing and transportation, particularly in terms of access to good jobs that might be available within our society, certainly within our province, and in terms of access to education and physical access to buildings and to our society as a whole.

It is important that we in this House understand the importance of this legislation and its timeliness, to get on with the business of ensuring Ontario is fulfilling its promise to ensure full citizenship for persons with disabilities. As minister, I look forward to the input over the course of the next few weeks at our public meetings of the standing committee on finance and to working on the clause-by-clause, by bringing in this legislation in the year 2001, an important year in the life of Ontarians with disabilities.

**Mr George Smitherman (Toronto Centre-Rosedale):** I am going to join this debate today and I'm going to say to the honourable member clearly, upfront, that I'm going to vote against this time allocation measure and that I'm going to vote against this bill in its current form. The reason I'm going to do that is that I believe—for anyone who's watching this issue and this debate at home—this is a really good case study of what this government is all about. This action by this government is as duplicitous as anything I have yet seen brought forward by this government. If the United States had Slick Willy, we have been subjected, and the disabled community in particular has been subjected, to Cam the Scam, because that's what this is about. On this—

**Hon Mr Jackson:** On a point of order, Mr Speaker: I think that was ruled yesterday in debate as unparliamentary and inappropriate.

**The Acting Speaker:** I would ask the member for Toronto Centre-Rosedale to bring his debate within the confines of the bill.

**Mr Smitherman:** I will withdraw—perhaps unparliamentary. Whether that was inappropriate, I leave others to judge.

On this issue, the government has attempted to send a message that this is a meaningful and significant bill, but in point of fact—

**The Acting Speaker:** I just want to be very clear that you can't leave it to others to judge; it's me.

*Interjection.*

**The Acting Speaker:** I'm not interested in debate.

**Mr Smitherman:** I took no issue with your words, Mr Speaker, only with those of the member opposite.

On this matter, the government has attempted to create an impression that is in fact not true. This party, the Liberal Party, has been very clear on this. I'm proud of the work of my colleague the member for Elgin-

Middlesex-London. I'm proud of the work of my leader. I'm proud of the work of my colleague from Prince Edward county. What I'm not proud of is the way the government has used words like "consult" to create the artificial impression that the disabled community, in its breadth and depth, is in support of this legislation. I offer no stronger piece of evidence in support of what I just said than that I would prefer to stand with people of quality like David Lepofsky.

In his remarks, the minister accused the Liberal Party of going back to square one. I think it's kind of noteworthy that Square One is a massive commercial complex, privately owned and operated, in Mississauga that is not subjected to this bill whatsoever. To the member whose own legislation looked like the \$5,000 parking spot enforcement price tag, Square One doesn't count.

The member opposite used the Human Rights Code as the standard, but he, in his past life, voted against amendments to the Human Rights Code designed to include people in our society. His record on this matter is very clear, and it is that the words he uses unfortunately are not backed up in terms of the quantity and breadth of this legislation.

I'm happy, in the time I have, to make clear that one of the first experiences I had in this Legislative Assembly, in this very building, this most important, significant public building of the government of Ontario, was to hire a blind woman to work for me. I had to move her to my community office because I could better support her needs there than I could in this building.

1540

Do the elevators in this building have Braille? No, they don't. Were there supports available to me as a member of the Legislative Assembly to allow me to better equip an office so that a blind woman could work for me? No, there were none. That is a shameful set of circumstances here in Ontario. What we have from the government is a minister who stands in his place and talks a lot and uses the words "consultation," "input" and "dialogue," all these mushy words, which means he may hear the sound but he is not listening to the purpose and intent behind the sound.

Liberals have stood in their place and been consistent. We want a strong and effective Ontarians with Disabilities Act, and this bill is not it. For all the savvy presentations of the minister opposite, this bill is neither strong nor effective in terms of setting a place at the table for the 1.5 million Ontarians who find themselves disabled.

The Minister of Health was here earlier, and we know that his unwillingness to fund Visudyne treatments for people with macular degeneration is forcing new people on to the rolls of the disabled every single day. That's the record of this government.

No more false charades, no more game playing, no more raising of false hopes for those people who have, in their lives, experienced so much discrimination, so many barriers and so many challenges to opportunity. I stand today to say that I will vote against this time allocation. I

urge that minister to find his courage within that government to bring forward a bill that is both strong and effective, because this one is not.

**The Acting Speaker:** Further debate? The Chair recognizes the Minister of—

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Training, Colleges and Universities, Mr Speaker. I was kind of expecting my colleague in the NDP to stand up, so I'm caught a little bit by surprise. I was looking for a letter; maybe it will come across my desk as I begin to speak.

It is my pleasure to speak today to this legislation and to programs for disabled people in Ontario. I speak as a mother of a disabled son, and I also speak on behalf of my constituents who have come into my office and told me just how they feel about any pending programs and legislation. We in London like to think we work together, and over a very long period of time in this Legislative Assembly, we have gradually been able to work with our constituents to make things better.

I find one of my letters here.

I've obviously met with the disabled community and worked with them for many years. I've worked in the field myself. I don't think there is a simple solution to all the challenges, but I do know that what disabled people want is, first of all, the people of Ontario and around the world to understand their needs, to be as helpful and caring as appropriate, to be inclusive. I say that because I feel that in many instances, still, when we meet people who may be in chairs, who may have hearing disabilities or sight disabilities—they may have abilities in understanding and speaking, like my own son. I think when the world is more aware, they feel very much more included, and they have so much to offer.

In my own personal experience over time, I feel that one of the more important things we can do is to provide people with disabilities opportunities to be part of education groups, to have jobs, to be part of society. What I'd like to do right now is to thank the people who work in this area with so many of our disabled community, giving so much of their time.

I can remember that when I first came to Queen's Park, the people who were disabled, who needed personal caregivers, didn't even have an opportunity to choose their own personal caregivers. Right now we still have challenges in this regard, and one is that if you have a personal caregiver, you want as far as possible to have that personal caregiver all the time. It's very intrusive and it's something we have to think about. I know that our community care access centres are doing their best to meet the requests in this regard. It isn't just a matter of having people trained; it's a matter of people being able to work the appropriate hours, people going beyond the call of duty in their work to take care of people both in institutions and in their homes.

I use those words advisedly because there are many people who are in settings that used to be in a negative way called institutions, but who are now in institutions,

in our colleges, our universities, our schools and sometimes our home care and hospitals, and are treated with the kind of respect they need.

One of the letters I took very seriously goes something like this: "I was delighted to read your thoughts on the Ontarians with Disabilities Act Committee in your letter" to a person who I had written this letter to. "We agree on many things, of which I have outlined below. I also have a few questions for you. These are also outlined below. But first we need to clear up a common misconception that the government has regarding the Ontarians with Disabilities Act Committee."

Now, this is very important to this debate: "The Ontarians with Disabilities Act Committee does not want a carbon copy of the Americans with Disabilities Act."

I have a lot of experience with that legislation and I have learned over time that there's far too much litigation. The very important public dollars that are spent must go into front-line services, not into the courts. Therefore, we have to make sure that we put nothing into legislation that doesn't necessarily have to be there. If we have regulations and we have policies in almost everything we do, we can change them from time to time as needed.

So I was very pleased to hear from at least one of my constituents with regard to what they in fact did want.

"... it is very expensive due to the hiring of additional lawyers to keep up with all the lawsuits inspired by the ADA." This is a disabled person writing this to me.

"The Ontarians with Disabilities Act Committee does not want an act that would encourage lawsuits. This is the system currently used in Ontario. We have been fighting for six long years to stop the way barriers are currently removed in Ontario. This is through expensive litigation" sometimes in the courts, but often "at the Ontario Human Rights Commission."

The Ontario Human Rights Commission is a different place than what it was five years ago. We have cleared up the backlog. I have to give the Ontario Human Rights Commission my compliments in working so hard to deal with as many cases as they can in a timely manner. It's not so that we have the perfect answer in government at any time. But as long as we're working together to see results in a timely fashion, that's what we have to go for.

Too often, the writer says, even the process we have is very expensive. So we have more to do in spite of improving it over the past six years. He goes on to talk about the shortcomings of the Americans with Disabilities Act. They then go on to say, "People with disabilities face many unnecessary barriers." They do in the world of work, they do in the world of housing and they do when it comes to living like normal individuals. They do not want more legislation.

That's why this letter was an inspiration to me. There were more letters like it, and we in London have in fact had some very good advice.

1550

So I am proud to stand and speak about my support for the legislation that is being presented. It would signif-

icantly improve independence and opportunity for persons with disabilities.

There are some points I believe need to be made regarding the issue of enforcement. First of all, we already have the necessary enforcement mechanism to ensure the rights of persons with disabilities. It is called the Human Rights Commission. I have spoken about it not being the perfect world, but we've made improvements and there is a terrific attitude. I must say many more people around this province are made aware of how the Human Rights Commission works and the improvements that have been made because they have been very visible in trying to get out to all members of our community, but especially members who suffer with disabilities.

Ontario was the first jurisdiction in North America to have human rights legislation, and our code is still considered one of the strongest. Even so, the government is planning to further strengthen the commission and the Human Rights Code because we cannot do everything at once. But we will be working in this regard. We should stick with the excellent foundation we have rather than create more red tape and more expenses, which would not be more effective than spending money on the front-line services.

The Americans with Disabilities Act, which is constantly being referred to and was again tonight by the opposition: it's a piece of paper. But when one takes a piece of paper and tries to implement it and finds that millions of dollars in every state are being spent to argue against an act that clearly doesn't work, why would we copy it, especially with the intelligence of our own constituents who have taken the time to find out from their friends and family members, as our family has, that that is not the way to go? If I have had undue influence on trying to stay away from too much legislation which cannot be changed instead of moving into programs for the front lines and, as appropriate, regulation, I accept the fact that I've had that kind of influence.

A 30-year window for compliance and hundreds of pages of exemptions: we don't want to go down that road. We don't want the litigation. We don't want a lack of standards. We want standards, and Bill 125 would lead to the standards of accessibility which are needed to strengthen our ability to enforce the laws we already have. Once the standards have been set, we can look at the regulations which would give the bill the extra strength that is needed if necessary. Our approach should be based on public accountability—results—as well as everything that we have done. Of course things are moving very slowly, but in some areas they're working quite quickly.

The acquired brain injury association is here in the Legislative Assembly this evening. Many of us will be going down for their annual informal setting. So many members of this Legislative Assembly are appreciative of the work they do in their communities across Ontario. We in fact have opportunities like this across the province with many groups. It's not unusual for people that represent and work with members of different disabled

communities to come here and ask for change. Members of this Legislative Assembly, not always in government, work toward those changes, and it's working in Ontario. But we must strengthen what we already have.

I am underlining public accountability: results. Our legislation is based on giving persons with disabilities a role to play in decision-making that affects them. I think I started this discussion this afternoon by saying that people in communities want to be involved. Disabled people want to be involved in decisions regarding themselves. I think the approach that the minister has recommended to us is extremely responsible. It's based on appropriate actions and roles for levels of government and the broader public sector. It's based on recognition that there are many willing partners ready to work with us to improve accessibility.

First of all, I'll speak to accountability. In Windsor, for 20 years the municipality has worked with its accessibility committee to bring about change, and I have to say the same for my own city of London. They're so far ahead of the game that they audit private and public buildings and publish the results. Consumers with disabilities know which businesses to patronize and which to avoid. I really like that.

I wish we would move forward in some kind of fashion in our own local municipalities as appropriate, not dictated to by the province but when municipalities are feeling comfortable working with the providers of jobs, with businesses that in fact have made their places of work, their places of opportunity for recreation and for good foods, restaurants and meals accessible. I think municipalities, if they aren't already, should consider putting up plaques on those restaurants, on those grocery stores, for people who not only have accessibility but who hire people with disabilities to help them, as they do in London, and start having some recognition.

If everyone in this House decides to move in that direction together, that would be a very good way to move. But that at this time is not what the disabled community is looking for first.

Bill 125 would require accessibility plans as well as progress reports against those plans to be made public. Let's see how well we're doing. Let's measure it. If it's public—Web sites report on everything across our college and university sector. They report on whether students pass, how many of them get jobs, how satisfied employers are with the students' education and their ability, how satisfied students are with their own colleges and universities. Now we can do exactly the same with our disabled community, as they can report publicly with regard to progress against accessibility plans.

Giving persons with disabilities a role to play in decision-making that affects them is extremely important. It's a powerful tool, it's a tool for change and it's long overdue. The Accessibility Advisory Council of Ontario and those committees that are involved at the municipal level, with municipalities, I will say, that have always had some kind of committees, should be given credit. I'm very proud of my own city. It took a look at trans-

portation issues for disabled people many years ago, before we ever had a taxi or a Wheel-Trans or any kind of transportation for disabled people, even 15 years ago. I think I'm correct in that, but I could be corrected. In London that's how we've accomplished it. People should be at the table with regard to actions that regard them.

Third, assigning the appropriate role and expectations to levels of government and the broader public sector: the municipal level of government has the most impact on buildings, public spaces, street safety, retail businesses, restaurants etc. They're the ones that can make decisions, along with members of their community who have disabilities or families of people with disabilities, better than anyone else.

In Windsor the casino, the big new hotel and the arena were not built until the municipal accessibility committee had reviewed the plans and had their input into how to make these buildings accessible. That's good news and we could expand it throughout the province. Municipalities need the tools to drive this kind of change, and this is what Bill 125 is attempting to do.

The provincial government must demonstrate leadership and it must inspire change. It can provide support, information, guidance, expertise and facilitation. That's our job. As we move forward, these good news stories should be celebrated so that there's a role model for different programs.

There are employers we actually know about who do not want to come forward. They have their own working relationship now with their employees who are disabled. That workforce in certain businesses and recreation facilities in certain parts of Ontario, the way they work inclusively with each other, including their disabled employees, is to be absolutely rewarded, applauded and admired.

We don't have legislation for this now, and I don't believe legislation will ever work. All we'll do is set up more bureaucracies, more looking over somebody's shoulder, instead of educating people and helping them to reach out to those less fortunate than themselves. Programs for disabled people? Absolutely. But in some areas, especially in employment, let's see how well we do.

1600

We need to lead the way in our own workplaces and public spaces. This is very important. I remember when I was on the school board in London and we weren't providing these opportunities. These young people go to school. Those programs weren't available to them maybe 20 years ago. We get them excited about their opportunities and we can't even provide the kinds of jobs and supports they need in the public sector. It's extremely important, and we'll be watching how we can move forward. For the broader public sector as well—all of our schools, colleges, universities, hospitals, public transit providers—it's extremely important that government services are there and that employment is there as we move forward together.

This is not going to be easy. I'm looking at my colleague right now who was a mayor and I know how hard it was to get the public service to provide the jobs in municipalities as well. It's extremely important. Just look at us. We've all been there, and have we made sure this has happened, where we've had responsibilities? Not to the extent that we should. It didn't happen in St Thomas either. We've got work to do.

Both provincial and municipal governments would make accessibility a condition of buying goods and services, and that's also a powerful driver of change.

There's a lot in this legislation and in the intent of the act itself and possible future regulations that we can work on together. It's not going to happen overnight, but it is going to happen quickly, with all of us working together, not fighting each other on who should accept, I suppose, the congratulations for anything we do together. That is not important. These are real people and they do more for us than we could ever do for them. So this is not about waving the flag or applauding ourselves. This is about a quality of life for people who are so important to our own communities and our families.

The private sector will be affected by this proposed legislation. It will be motivated to change. It understands that there is a substantial market segment out there. Just last weekend—and there are many, many stories like this—at Famous Players theatres: a system called descriptive video service, which means that children with visual impairments can better enjoy movies. It's simple. The theatre chain has also introduced rear-window captioning, which allows closed captioning of movies for persons with hearing disabilities. And the list goes on.

I met a wonderful, inspirational person a couple of weeks ago when I was making a speech. She was in a wheelchair and she could make that chair go anywhere just with the touch of her head. That was the only part of her body that worked. She's an inspiration. She has a job and she goes to work. She will be an inspiration to myself and my son and my family forever. This is people working together. We were there together that day because there's a group in Ontario that is promoting more programs for people with disabilities, promoting better education for the public, training people who work with disabled people, and the list goes on.

We should be very proud of our province. We should be very proud of our country. This is a time not to accept praise for what we've all done or to say we can do it better, and not always in the most pleasant of manners.

The disabled community wants our support but they want to be treated like one of us.

I could go on, but I don't think that's necessary. In closing, I think I can only speak now as a person who has been involved with special education and working with disabled people probably since I was very young. We have come a long way and we will celebrate that together, all of us, and we have a long way to go. Bill 125 takes us another step in the right direction.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise this afternoon and talk to Bill 125, the Ontarians with

Disabilities Act. It's unfortunate that the government has yet again brought in time allocation, which means that debate will end and our comments individually will be limited. But I want all members of the House to hear of some of my recent experiences.

Last month, I went on a guided tour with the members of the Chatham and District Association for Community Living. I took this tour in a wheelchair and I experienced first-hand some of the challenges faced by 1.5 million disabled Ontarian residents and most certainly the residents of my community. Things that we take for granted are limited for the disabled, such as full access to all that is offered in their community; for example, sidewalks. The simple notion that some of our sidewalks are not accessible to the disabled came to light.

We are all aware of wheelchair ramps, and many of the wheelchair ramps that are installed throughout my community are in place. However, there wasn't enough thought that went into all of this, because once you advance yourself on a wheelchair ramp, you come to a door that will not open easily for a disabled person. As a matter of fact, we visited one facility that had an automatic door, and that was very good. However, it was a foyer-type entrance and there was a second set of doors, and they were manual. So we need to put more thought and more creativity into why we would have doors that would open automatically at one point and a second set of doors would not. It's very difficult from a wheelchair to open these doors, as I experienced.

I also learned that the level of the placement of elevator buttons is very disconcerting to those seated in a wheelchair. They can't reach the upper buttons. We need to have the placement of those buttons in our elevators in a more convenient position.

Table heights in certain eating facilities were such that the wheelchair would come up and hit the table, and therefore the person who is in the wheelchair cannot reach the food that has been placed in front of them. That is most particularly difficult for those who have to be strapped into their wheelchair. We need to assist these businesses in the recognition of what is required by the disabled in a mandated way and also to provide funding so that they can just raise these tables a few inches so that persons can pull up and enjoy their meal.

The width of store aisles was very disconcerting. Many of the aisles in our stores are not accessible to those in a wheelchair. I experienced that first-hand. We had to just avoid certain areas of stores because we could not navigate.

I think many of the members are aware of the new technology of security centres in our stores. They're approximately three feet high and they set off alarms when one is stealing from a store. Alarms go off. But thought wasn't given to the placement of these sensors, and the opening is too narrow for a wheelchair to go through, so that the disabled cannot go and shop and spend their monies within some of these facilities.

Change rooms: we found that there were very few stores that had change rooms that were accessible to the

disabled, similar to washrooms that we see in many of our buildings. There was no place for one to go and change and try on clothing. It was explained to me that many of the disabled knowingly buy clothing that is too big for themselves because they cannot change in the store or that facility and it's very difficult for them to travel back. So they make one visit and they buy clothing that is actually too large for them.

So we need a stronger act than is presented here by the government today; we most certainly do. We need to eliminate the barriers faced by all our disabled who want to do business throughout our community, such as in law offices and accountants' firms. They want to enjoy all of those activities that are available to them.

1610

I can tell you when I crossed the main intersection in my community, with a merge lane and four other lanes, in a wheelchair, it was frightening. It was frightening for me as an able-bodied person to wheel that wheelchair across that intersection—very, very busy. It's just the notion that the lights are simply not long enough. For some, they cannot see whether the light has changed or not. It was a most enlightening experience for me and brought to light the need for a stronger disabilities act than we see before us.

Our critic from Prince Edward-Hastings has said, and it's quite apropos, "This bill does very little in the overall community to assist persons with disabilities. The act is totally inadequate because it does not provide a broader range of required changes that would assure the disabled community accessibility and opportunity equal to those who are not disabled." I learned first-hand of this from my vantage point in a wheelchair.

I'm pleased to stand up on behalf of the disabled community and urge the government to do much, much more to help them to enjoy everything that is available to them in their community, no matter where it might be, here in this great province of Ontario.

**The Acting Speaker:** Further debate.

**Mr Tony Martin (Sault Ste Marie):** I appreciate the opportunity this afternoon to respond.

*Applause.*

**Mr Martin:** Thank you very much. I appreciate the opportunity to share with all of you who have received me with such enthusiasm this afternoon some thoughts on this time allocation motion on this very important bill before us here today that's going to affect some 1.6 million disabled Ontarians across this province—a bill, this afternoon, that's going to shorten significantly the opportunity that we thought might be available to citizens across this province to come and have their say, share with us what they think, make recommendations to the government, suggest amendments and, at the end of the day, have all of our fingerprints all over an act that would in fact do something that would be helpful to the disabled across this province, who have been waiting for over six years on promises made by this government to bring in an effective Ontarians with Disabilities Act.

Alas, however, this act has been, on further reading by everybody concerned, a huge disappointment. The voice that's coming forward that was in this place this week in the media studio talking to all of us, talking to the people of Ontario, is saying, "Yes, we have something on the table. It's a good start but there's a lot of work to be done to make it a bill that will actually be effective and helpful to those people who have been waiting for over six years for an effective ODA to hang their hat on in communities as they try to access services and participate and educate themselves and live a quality of life that befits the kind of province we have here in Ontario."

The minister is being disingenuous when he suggests that what we need to do is push this bill through quickly so that it can be in place and do all those wonderful things that he suggests it can do on behalf of disabled citizens in this province. He knows that what he's doing by pushing this bill through in such a short time span is to let as few people as possible in on the discussion so that we're not allowed to expose the real shortcomings that exist in this bill and the fact that this bill is another of their very well organized and orchestrated and carried out public relations scams that we have become so accustomed to in this place, that on one hand says one thing—even the name of the bill often says one thing—but on the other hand, when you look at it, it doesn't come near. As a matter of fact, in many instances—and some would suggest with this bill, in fact—it does more to harm than it does to help the people targeted in the legislation.

I'm not suggesting for a second that there isn't something here that we could build on, but the timelines we're now having to deal with, the short span for public input for consultation across the province in a very limited way, will diminish significantly opportunity for the many, many groups out there who have some real concerns about this legislation, who are working desperately hard right now at a hurried pace, having heard today, I'm sure, the limitations, the parameters within which we now have to operate by way of this time allocation motion that was tabled here this afternoon, working feverishly to put together amendments that will give this bill at least some potential for some change in their lives.

Our concern is that the government's not going to listen, that they'll do the consultation with the standing committee after second reading in such a way that will be a public relations exercise. They'll be able to say, "We did go out there and we consulted and we heard from people. However, at this point in time this is all we feel we need to do," and just ram it through here before Christmas. They'll tell us, "This is the only chance the disabled community has to get this bill through, however short it is in delivery mechanisms. This is the only opportunity we have to get this through before Christmas," before the House prorogues and before they have their leadership convention and then God knows what else happens after that.

If the minister were convinced, as he presents he is, that this bill is the be-all and the end-all, is going to do the things he suggests it has the potential to do, then he wouldn't be so afraid to take it out there in a more fulsome and timely way across this province, to communities in the north, in the east and the west, to big communities and small communities, to communities of various sorts and sizes and makeup across this province so they would have an opportunity to say to him, "We've read your bill. We think, yes, it's a good start," as some groups have said. "It lays a foundation upon which we can build, but we want to build with you into this bill some things that will actually do the job, that will actually call on the private sector to do some things," because in this bill there's absolutely nothing that will actually lay out some timelines for municipalities, will put in place some ramifications for not living up to the guidelines.

I've said on a number of occasions here on Wednesday, when I sit with my colleague from Nickel Belt, "It's Wednesday afternoon, so it must be a time allocation motion" or, on the other hand, "It's a time allocation motion, so it must be Wednesday afternoon," because that seems to be the routine, the regular way of operation, the modus operandi of this government in terms of pushing things through that they feel they need to cover whatever promises they made, in whatever simplistic and short manner, so they can, come an election—and I know it's not far off. I know when they elect their new leader and he looks around at what he's got to work with, it won't be long before we're before the people looking for another mandate and that kind of thing. They want to be able to wave this bill and say, "Look what we've done for the disabled in the community. We were the only party," as they've been saying. How many years to bring in an Ontarians with Disabilities Act? I have to say to you, Mr Speaker, if they do that, they're misleading a whole lot of people out there across the province and should be called and challenged on that.

**The Acting Speaker:** I'd ask the member to bring his debate within the rules of the House. We don't like to use those kinds of words because of the kind of response they will have. I'd ask the member to withdraw.

1620

**Mr Martin:** I will withdraw that term, Mr Speaker. However, I have to say, as I said before, that the government is being quite disingenuous in this whole exercise. At the end of the day—as a matter of fact, not even at the end of the day. I think most people who have looked at this bill understand that what the minister, on the one hand, when he was out there going around the province, promised by way an ODA and what he has delivered are two completely different things.

Let me just for a few minutes share with you some of the thoughts of the folks out there, lest you believe that this is just me, a New Democrat in opposition, ranting here about something of which I really know little. I have to tell you that I've had to my office and I've participated in events over the last week or so since this bill was

tabled, and all the indications are that the groups that the minister claims are on side where this bill is concerned are indeed not. Once they had a chance to—they weren't given a chance, actually, before the infamous press conference where he was able to claim the kind of support that he still continues to claim. But once these people had a chance to have a look at the bill before us, which proposes to do the kinds of things the minister promises it will, they and we have been sadly disappointed.

Yesterday morning in this place we had a press conference, held by a number of groups representing the disabled in the province—the Multiple Sclerosis Society of Canada, the Canadian Mental Health Association, the Canadian Hearing Society, the Muscular Dystrophy Society of Canada, the Canadian Paraplegic Association, the Ontario Association for Community Living, the Spina Bifida and Hydrocephalus Association, the Canadian National Institute for the Blind, the Bob Rumball Centre for the Deaf—and all of them were saying the same thing. Let me just read a piece from the letter they sent to the minister that they were tabling yesterday morning at that press conference. I think it's informative. It says:

"The community agencies listed below"—and I just listed them—"would like to initiate a dialogue with you about the Ontarians with Disabilities Act, which you introduced on November 5, 2001. The bill is now in second reading and public hearings are about to begin. We view Bill 125 as a framework for effective legislation and a first step in this process. Most of us met with you over the past few months and felt that you truly do understand the need for systematically removing barriers that currently prevent people with disabilities from participating as true citizens in all aspects of life in Ontario." That's an important statement.

"In our view, in many important respects, Bill 125 still falls significantly short of the goal you have been championing. This is particularly the case for people who are blind, deaf or hard of hearing, or for those with intellectual disabilities or disabilities caused by mental illness. For them, we fear the legislation, in its current form, will make very little difference.

"Today, together as organizations representing the full range of ambulatory, mental, intellectual and sensory disabilities, we want to advise you that we wish to work with you through the committee public hearing process to bring about comprehensive, strong legislation that effectively includes and benefits everyone.

"While each of our agencies will be submitting specific amendments"—and they're feverishly working on those amendments as we speak, because they know the window is narrow—"during the committee hearing process, we do want to outline important common concerns." I would ask the minister to pay attention to these concerns, because they lay it out very clearly and very succinctly.

"Currently, the bill lacks a significant role or authority for the advisory council and the lack of an effective mechanism for meaningful disability input into all standards to be made under the bill.

"There is a lack of specific legislated time frames for the creation of effective regulations that will remove barriers across all sectors.

"There's a lack of any real enforcement or mandatory barrier removal and prevention requirements other than for parking violations under the Highway Traffic Act."

If you look at those three guidelines, you'll begin to understand why it is that so many people are so disappointed in this bill, why it is, in fact, that the government is moving forward with this piece of window dressing in such an aggressive and quick fashion. They made the promise; they knew they had to live up to that promise. They don't want to offend any of their friends or benefactors out there in the municipal sector or in the private sector, yet they know they've got to hang this carrot out there for a whole bunch of very needy, disabled people in the province. But again they missed the point and they don't understand the very real intelligence and understanding and ability of the disabled community out there to read this piece of legislation and to understand exactly what it does and, more importantly, what it doesn't do.

"We look forward to presenting you with specific amendments to make this legislation totally effective in making Ontario the first barrier-free society for people with disabilities in Canada. In addition, we hope you will ensure there is sufficient time"—and this is where this time allocation motion comes in—"and opportunity within the legislative process to prepare, present and fully consider the necessary amendments, and to ensure the final legislation meets the 11 principles our organizations endorsed as members of the Ontarians with Disabilities Act Committee and indeed the entire Ontario Legislature unanimously endorsed on October 29, 1998."

This is important, this next little sentence, in view of the time allocation motion we're debating here this afternoon: "The legislative timetable should not become a barrier in itself.

"We will be very pleased to meet with you to discuss these issues in more detail and to suggest amendments to strengthen this important legislation."

Let me share with the folks out there exactly what this time allocation motion is doing. After you get through the legalese and the gobbledegook, it says this:

"That at 4 pm on the day"—I'm sorry. I've got to go back a bit here. I'm getting ahead of myself. It says "when Bill 125 is next called as a government order." That means the next time we get to debate it on second reading. Understand that we've had one full evening—that's from a quarter to 7 until 9:30—on this bill, and one afternoon—that's from about 4 o'clock to 6 o'clock. We're talking about a sum total of about five and a half hours, if that, on this bill so far, this really important piece of legislation that—

**Ms Shelley Martel (Nickel Belt):** That we've waited six years for.

**Mr Martin:** —we've waited for for over six years, that's going to affect very directly the lives, and has the

potential to affect in a positive way if we do it right, of 1.6 million disabled citizens across this province.

Here's what we're into now: "... when Bill 125 is next called as a government order,"—we're expecting it will be called tomorrow afternoon—"the Speaker shall put every question necessary to dispose of the second reading stage of the bill"—second reading's over—"without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on finance and economic affairs ..."

Then what happens is this:

"That, no deferral of the second reading vote pursuant to"—we can't defer this to another day for a vote.

"That, the committee shall be authorized"—this is what people out there need to get their heads around; this is the opportunity you will have to come forward and share your concerns, your ideas, your thoughts, to suggest amendments to this bill—"to conduct public hearings in Ottawa on Friday, November 30 ..."

That's next Friday, so you have a week to get together with your colleagues and sit down and go over this with a fine-tooth comb, to prepare a submission, to phone the Legislative Assembly and get standing before the committee, or to phone one of the political parties so that they can put your name forward, and then to arrange for all the assistive devices that are necessary to get you from your place of residence to the hearing place, and then to make your submission, not to mention the real concern I have here this afternoon, which I'm sure the folks out there will have—we haven't heard a thing from the minister today on that. Will these hearings be fully and completely and totally accessible for every kind of disability as they travel the province? Will the blind, the hard-of-hearing and the deaf, will those with other barriers be able to come and comfortably and intelligently, and in a way that communication happens both ways, present to this committee in that short time frame?

"... in Ottawa on Friday, November 30, in Windsor on Monday, December 3, in Toronto on Tuesday, December 4, in Toronto on Wednesday, December 5, in Thunder Bay on Thursday, December 6, and in Sudbury on Friday, December 7; and

"That, the committee meet on Tuesday, December 11, 2001, for clause-by-clause consideration of the bill."

1630

That means it's done. By December 11, this bill will have gone through all the processes and procedures of this place, this very significant and important bill that has taken over six years to come to the surface, that 1.6 million disabled are hanging their hat on to help them participate more fully in their communities, to help them have the quality of life that they know, in this very rich jurisdiction called Ontario, they can have access to if the government will only do the right thing and make sure there are laws in place that prevent anybody from getting in the way of their achieving that. By December 11 it will all be over.

I suggest that if this government's track record is any indication, there won't be much significant change to the

bill we have here in front of us, and that will be sad. As I read into the record the other night when I spoke in leadoff on second reading, from the Canadian Hard of Hearing Association, this bill doesn't even come close. As a matter of fact, there are many disabled people out there, some of them at a meeting I had in Sault Ste Marie last week—the Sault Ste Marie and Area Ontarians with Disabilities Act Committee, Sylvia Mosher at that meeting, cerebral palsy challenged, said to me, "Tony, maybe this bill is just unredeemable. Maybe there's nothing we can do with this bill to make it any better."

We had a discussion around the table, and there were some there who were willing to give the government the benefit of the doubt, to take them at their word that in fact they would be willing to listen to what we indicate are shortcomings and do whatever it takes to correct that. But if our track record here of bills coming forward and our very sincere and energetic effort to bring forward amendments and their being accepted by the government is any indication, this bill is not going to see much change between now and December 11.

However, that doesn't mean we shouldn't make the effort. I'm going to once again here this afternoon—I hope I'm not talking into a vortex over there that goes nowhere. I'm going to suggest this afternoon that the government, if they're serious, and that the minister if he's being sincere in his comments that he actually wants to do something that will be effective and will make change, will make a difference in the lives of the disabled in this province, will be willing to take the time. Will you please take the time necessary? We've been waiting a long time for this. It's a huge bill. There are a lot of things in it that need reworking. The disabled community out there is telling you that. They're willing to work with you in partnership, and we're willing to work with you in partnership if you work with us, to make those changes to make this bill work.

I know our caucus would be willing to sign whatever agreement was necessary at the end of this session, before Christmas, to carry the bill over. If the House wants to prorogue and it's intent on proroguing, that's fine. That's your purview to do. We're saying to you that we will agree to whatever is necessary to carry this thing over so we can have those wide-ranging and fulsome hearings across the province, across small, large and medium communities, in northern, eastern and south-western Ontario, in Toronto, across the province so that every person and organization that has a concern about this bill is given ample opportunity to come and participate, so that at the end of the day they can present their amendments and we can have the time to discuss those amendments with them so we fully understand why it is they're necessary and maybe make some suggestions for change ourselves that might improve them.

Even the minister might have some thoughts about that if he would cut himself loose from, it seems anyway, the shackles that have been put on him, I would guess by those in perhaps more control than he of the agenda of the government and how much they're willing to allow

him to do where this act is concerned, and he would step out with some courage and shake the shackles off and do the right thing, as he knows in his heart of hearts he wants and needs to do in this instance.

Some 1.6 million citizens of this province have been waiting forever. Yes, you can criticize us: we didn't bring in an ODA, we didn't support Gary Malkowski in his effort to get an ODA passed. But I'll tell you, we did a whole whack of other things that enriched and moved forward and supported and facilitated participation by the disabled in their communities and in the life of this province. But let's not let that argument get in the way of now, at this moment, at this time, with this piece of legislation, doing the right thing. Let's not let that smokescreen, that disagreement between the parties here, get in the way. As I said the other night, this is their moment; this is their chance. We have in front of us here an opportunity to make right some very significant wrongs that have gone on for too long for many of our very able citizens who find themselves in some limited ways disabled in their everyday lives; to allow them to participate as fully as they can in the lives of their families, in the lives of their friends, in the lives of their communities, and to take advantage of the great gift that all of them have within them to participate in the economy or the social fabric of the communities in which they live.

Let's not let political wrangling get in the way of us doing that. Let's not let political agendas that don't want to offend one group of people because you want to help another group of people, a very left-behind, disadvantaged group of people, I might say—and let's do the right thing. Let's take the time that's necessary. Let's take the next few months that we have available to us. There isn't a whole lot on the agenda right now that's of this importance before us.

A few weeks ago the Premier said that he was stepping down, that he felt he had done everything he needed to do in this place and he was going to move on to something else. Let me say to him very personally and directly, here's a legacy that you could leave. You made a promise back in 1995-96 that you would bring in an effective Ontarians with Disabilities Act, and you made it again a couple of times since then that you would do that, that you would do the right thing. Why don't you take that as a part of the legacy that you leave to the province of Ontario?

You spoke, when you announced that you were stepping down, about what you had done for children in the province, and many of us questioned the legitimacy of that comment. Here's a chance for you to actually do something that we would have no grounds to criticize you on if you actually turned to your minister, Mr Jackson, and said, "Cam, let's do the right thing here. Let's take this bill and listen to the opposition, the Liberals and the New Democrats. Let's listen to the disabled community out there and let's make sure that we include in this bill all that is necessary to help all those groups out there who are disabled." I listed them a few

minutes ago, and there are probably some that I missed who want to come forward. "Let's take the time to hear them out. Let's work with the NDP and the Liberals and pass an amendment to the bill to prorogue that would give us the right to sit in January, February and March and hear from people, and bring back a bill to this place, when we return in the spring, that will in fact give the disabled community that which they need to participate fully in their communities."

I don't want to take up all the time we have available to our caucus this afternoon, because I know our leader has a few things he wants to say where this bill is concerned. He's been very concerned, the same as myself, about this bill. He will tell you, as I will, that we'll be voting against this at second reading. We'll be voting against this at second reading to send a message to the government that we think this bill doesn't cut it.

You say to the disabled community, "This bill puts you in the driver's seat." Let me tell you, they're not in the driver's seat; you're in the driver's seat and we don't know where you're taking us.

So we won't be voting for this bill at second reading, but we know that it's going to pass anyway and that you're going to drive it because you want to be able to wave it around, come the next election, to say that you in fact have done something. Wouldn't it be so much more substantial if, at the end of the day, you had something of substance to wave around and to take credit for with the people of the province?

**1640**

We're saying to you that if you will allow for full public hearings, if you will commit to us today that you will accept and adopt the significant amendments that people out there are working feverishly at right now—significant amendments that will take quite some time to work into the fabric of this bill, because it needs significant change—we're willing to work with you to that end so that we might improve this bill.

Even that organization the Minister of Community and Social Services stands up so often in this place to claim support from and friendship with, the Ontario Association for Community Living, came to that press conference the other morning. What they had to say was quite telling. Most of all, if you read through their statement, and I would hope that the minister would—both the Minister of Community and Social Services and the Minister of Citizenship—he will understand that they are saying this bill does not in any way respond to or answer the difficulties that their community of people are experiencing out there. They're hoping that the minister—in line with, yes, some of the things that he's done by way of putting some money into that organization so that they can provide some more help to children with autism—in fact will sit down with the Minister of Citizenship and look at this bill and decide there are some things that he can do here that would affect the lives of the people served by the Ontario Association for Community Living in a significant and an important way, and allow them full participation in the institutions and

organizations of the communities that support them, in which they live and in which they wish to participate.

I'll pass on now and hope that the government has heard what I have to say, and will respond constructively and positively to the challenges that I'm not only putting here, but that the organizations out there—all of them across the board that represent the disabled in this province—are challenging you to do.

**Mr Gerry Martiniuk (Cambridge):** I am most pleased to join the debate on second reading of Bill 125, the Ontarians with Disabilities Act. There have already been over seven and a half hours of debate and there will be a total of three sessional days of debate. In addition to that, my friend Mr Beaubien who chairs the finance committee will be holding hearings right across this province: seven full days of hearing where everybody can make their views known in regard to the bill and how it will work.

As many speakers have noted, this bill is a milestone for this province and for persons with disabilities. We've embarked upon a journey to a fully accessible province. That's our goal, and we have a plan to achieve it. Persons with disabilities are poised to play pivotal roles in reaching that goal: a fully accessible province with equal independence and opportunity for all.

One aspect of the debate that has yet to be touched upon is, how does Bill 125 stack up against the Americans with Disabilities Act, the ADA as it is referred to?

The ADA was certainly a landmark effort in its day. Who can forget the sensibilities and desires that underlay that bill, and the tremendous goodwill and surge of emotion that greeted its passing? Inspired in part by the difficulties faced by returning Vietnam veterans with disabilities, it represented the collective efforts of our neighbours to the south to do the right thing.

The ADA was a product of its time and it remains well known and much admired. Many people regard the ADA as the bar that all subsequent disability legislation must reach or exceed. The ADA was very much the proverbial elephant in the room as our government was drafting Bill 125, and I must say we had the best of both worlds. The passage of time allowed us to judge what had worked and what hadn't with the ADA. We could see where the bill had triumphed and where it had failed. Bill 125 is a direct descendant of the hopes and dreams that fuelled the ADA and, indeed, legislation in other parts of the western world for persons with disabilities.

My message to you tonight is that Bill 125 is a better bill. It is a made-in-Ontario solution, a key piece of an overall strategy whose goal is the gradual but steady removal of all barriers standing in the way of greater independence and opportunities for persons with disabilities. The most important item to keep in mind when you hear people comparing the two acts is to think of apples and oranges. The ADA is a bill of a federal government; the ODA is a provincial bill. You simply cannot compare them straight up. They are two different bills responding at two different points in time to two dramatically different situations.

The very fact that the ADA is a federal bill is telling in itself. Perhaps it's a cultural stereotype, but we all tend to believe that individual rights are more important or stronger in the United States. That's just not true in the case of persons with disabilities.

Americans used the ADA to make up for the lack of protection for persons with disabilities in other areas. Special protection for persons with disabilities was not in the Constitution or Bill of Rights, and it wasn't in landmark civil rights legislation passed by the Johnson administration in the mid-1960s. As I say, it was only with the return of thousands of Vietnam vets with disabilities that consciousness began to be raised. In Canada, people with disabilities have enjoyed much stronger basic protection against discrimination through the Canadian Charter of Rights and Freedoms, the Ontario Human Rights Code and codes of the other provinces. As a result, the ADA is top-heavy with enforcement mechanisms and agencies, some of which have been very effective, of course.

In Ontario, we just don't need another enforcement mechanism. That's why our strategy was free to go in another direction, toward partnerships, sharing responsibility and building on the strong foundation of existing legislation and billions of dollars in programs for persons with disabilities.

So, as I say, different countries, different levels of government, different bills. I urge all honourable members not to fall victim to cultural stereotypes that sell short the great strides that have already been made in Canada and in Ontario on behalf of persons with disabilities. In this case, we are ahead of the Americans and have been for years.

There are a number of other reasons why the ADA is not the pot of gold at the end of the rainbow as many would believe:

The jurisdiction of the ADA is limited to workplaces of 15 people or more. In Ontario, the size of the workplace does not matter when filing a complaint to the Human Rights Commission or using the charter to enhance your case.

The complaints-driven thrust of the ADA has indeed spawned many costly, lengthy lawsuits, beyond even what was contemplated for a very litigious society. That is not the Ontario way. Persons with disabilities will continue to utilize the fail-safe protections of the Ontario Human Rights Code. And what's more, it's free to do so.

There is no central administration body for the ADA. This makes acting in concert on initiatives to improve accessibility difficult. Bill 125 gives us the accessibility advisory committee and the Ontario accessibility directorate to harmonize and guide our journey to full accessibility.

The list of exemptions and exclusions under the ADA is lengthy, which has created confusion and exasperated stakeholders. We are looking at 30-year time spans, in some cases, for conversion and accessibility. That's just too long. In Ontario, we are now committed to full accessibility across all sectors. That's the goal. We will

have the power to set time frames by sector and urgency, but we'll do it in partnership and co-operation, not lawsuits and exemptions.

1650

There is a problem with the ADA's definition of "disability" being unclear, which has no doubt contributed to some of the legal wrangling. Bill 125 adopts the wide-ranging and comprehensive definition of disability found in the Human Rights Code. It is very clear. There is no ambiguity and no one is left out.

There are some concerns that have arisen with this landmark American act and how Ontario will avoid falling into some of the same traps. At the same time, there have been some notable successes with the ADA, and we are keen to emulate some of them with Bill 125.

The Accessibility Directorate of Ontario will lead the way in developing programs and services that raise the level of public, employer and broader public sector awareness of the drive toward the vision.

Now, we are moving forward with Bill 125, a multi-billion-dollar program with support already in place for persons with disabilities, and with the rights of persons with disabilities sealed in stone by the charter and the Human Rights Code.

I urge all members of this House to give it swift and speedy passage.

**Mr Gerard Kennedy (Parkdale-High Park):** It is a great pleasure to rise in this debate, because this is one of the more important issues that this House has to deal with, and it was made more important by the efforts and the length to which the government has gone to avoid this exact debate for six and a half years. The gentleman opposite talked about the Vietnam War. We're almost the length of the Vietnam War in the time that it's taken this government to put something forward that would be reasonable for at least the discussion and debate in this House, and would that it were; would that we had in front of us something that was significant, that gave proper and due respect to the disabled community.

In fact, a very important component of the expectations of the disabled community has to do with time, has to do with the fact that what this government seems to miss completely in this approach is that it is time now to put disabled people in this province on the same footing as the rest of us.

We in the Liberal caucus have no trouble recognizing that in fact this is not a favour for people who are disabled. This is not about a subsidy. This is not even about being kind or compassionate. This is about being fair. This is about treating people with the innate respect that they deserve. It has practical and keen applications in terms of how people can live their lives and how our society can work better. But unfortunately we do not have that outlook. That practical, principled outlook is not embodied in this bill.

This has the potential, because of the government's lack of ability to take on a full commitment, to become a sham and a scam for the disabled community who have waited these many years. In this bill are not the time

frames that they've asked for. There is not the timetable to say, "This is exactly when these things will be accomplished." The government has missed, I guess on purpose—but we would hold out some hope and expectation that over the next number of days and few weeks that they have allotted for this there is a possibility of change, that they would grab hold of their job as interpreters of the public will; that this does not represent the best we can do here in Ontario. I think that is what the governing party has so far failed to see: that people of all political stripes expect us to exert ourselves; that if we're going to put ourselves forward, we do it in the most impressive and the most time-significant way that we can. That is missing. There's no intensity about what this bill wants to accomplish for us.

This seems to be a bill that could have been introduced 10 years ago. It doesn't really keep in touch with the basic growth that has existed in society around recognizing that people who have disabilities have a tremendous amount to contribute. They are in our classrooms, they're finding their way into some of our public buildings, they're finding their way into some of our employment places, but they're doing it against barriers that are not fair. It's not right that they should have to contend with more than any of the members across the way.

That would be the Liberal approach, to have a level playing field. People who are disabled are not asking for special recognition so much as they're asking for plain recognition of who they are and what they've got to deal with. And what does it take to put them in a position the rest of us have, by accident of birth and circumstance, already available to us? Why couldn't this government grab hold of that with both hands? Why couldn't they say to the wider community, "We have the courage to sit down with the private sector and work out some of the possibilities," because we are currently being denied.

Sometimes the members opposite forget that there was a very low unemployment rate at the time of the last Liberal government in 1987, 1988 and 1989. That was a time when for the first time the private sector started to try and train people who had disabilities that prior to that had precluded their being approached. I was part of some projects that tried to reach people who lived in the disabled community, as well as some single parents and others who were previously thought of as hard to employ, and take the steps necessary. You know, what they found in almost every case is that there were steps that could be taken, that they were modest, and that the thing that held the private sector back was the lack of real official government recognition. That started to germinate some of the things that have led to this bill as the practical measures on the part of government to help set the table.

We have to get out of that old mindset that somehow what we do for disabled people is a charitable thing or it's something that we do as a social service thing. We do it because of social justice of the most elemental type. These are people, members of our community, citizens, deserving of exactly the same respect as the people who sit in this House, none of whom, to the best of my know-

ledge, would qualify under the definition of this act for disability recognition. On their behalf, we need to do a better job.

This bill does not present the disabled people of this province, and more important, the non-disabled people of this province who are blessed enough to go through their day-to-day lives without these barriers, with proper leadership. It represents a sadly missed opportunity if it stays in its present form, because it doesn't bring to people their potential. That's all that this bill should do: put in front of people the ability that they already have available to them.

We are looking for this bill to be seriously rewritten, and it can't be rewritten in the time frame that the government has put forward. The government has not allowed sufficient time to actually hear from people around the province. Members of my caucus—Mr Steve Peters and our current critic, Ernie Parsons—have been around the province, have talked to people, and know that there is a tremendous amount of resource that could be put into improving this bill if there was goodwill by the government opposite.

The government stands to be defined in part by this bill. This is not just a slipshod exercise to mark off a promise the government made and has not fulfilled over the past six and a half years. It should not be regarded that way. This should be bigger than that partisan interpretation of this government's obligations. The 1.5 million people who could be affected by a proper Ontarians with Disabilities Act cannot be fit into that category of people who have to be tidied up after, but instead need to be dealt with in a much more straightforward fashion.

I appeal to the members of this House, and particularly to the members of the government caucus, to not show the fear they are exhibiting in this bill. They seem to have a fear of the advancement that disabled people have made in this community. They seem to have a fear of leading the public, of articulating that, of saying where we are at. Why can't we go to employers on a phased-in basis and look at ways of creating the employment opportunities for all kinds of people with disabilities, not just the conspicuous kinds in terms of wheelchair ramps and washroom facilities and so on, but things for people with mental disabilities, for developmentally delayed people, to be able to make them participate in society? I say to you, quite different from 10, 15 and 20 years ago, there are technologies available now, there is awareness available now, there is expertise available now, and this bill does nothing to recognize that. It's a shame. There's no reason why the members of this House in 2001 could not work together and come up with a better bill.

It bespeaks a mindset, and I would hope that mindset wouldn't be one that would hold back something that has the social importance that a properly done bill could do. There's tremendous goodwill out there in the public and this bill vastly underestimates that. It underestimates and to some degree insults the average citizen out there, because it says to them, "All we're prepared to do," after all these years of changing attitudes, after all this time of

people putting themselves forward and showing us that they are contributing human beings, from Stephen Hawking to many less well known people, to Richard Metzhoff in my own riding, people who participate fully in their communities but with an aggravation, a holding back, barriers that are clearly identified.

Many times we're asked to address problems, and we don't know exactly what those problems are. We're asked to get involved as a government. This is not the case here. The disabled of this province can tell us, people with disabilities can tell us what they are experiencing on a day-to-day basis, and what they add up to is the stuff of everyday life. We cannot wish it away with a bill, but we can do a better job of putting the motivation behind the public, the private enterprise, the government enterprises of this province.

As the education critic partly responsible for improvement in education, I can say this limiting attitude, this change-in-the-dresser kind of charitable approach of this government that can't bring itself to see people in their full potential, infects the education system as well. We don't give people the full access that we need.

I was in a meeting in Windsor last week full of parents of kids with disabilities, and these are children who were succeeding in the school system. Each and every one of the nine or 10 stories that we heard was of a parent of a child who was succeeding and had those supports taken away, either from the school system or from community and social services, and is falling backwards. That's what this bill potentially represents. Either we seize the moment and articulate for the public what this can do or we will have a number of months and perhaps a few years until the next election, because if this House cannot come up to this moment in history at this time, I can assure you Ontario Liberals will.

1700

**Ms Martel:** I'm going to take up a bit of our leader's time this afternoon to put a few points on the record. Let me begin by saying of course it's Wednesday so of course it's time allocation day. Isn't it a shame that the government is moving today to effectively shut down debate on a bill that 1.6 million disabled Ontarians have waited over six years for.

I wonder how betrayed these folks are feeling, not only today but with the introduction of the bill and as they read through it, to see that what little there is in this bill could have been brought forward by this government when it was elected in 1995. There is that little in the legislation before us that provides for any change for those 1.6 million people who have waited so long. They must be wondering what they waited for. The sad reality is that not only does the government shut down debate today on this important bill that so many people have waited so long for—and must be wondering why they waited—but the government very clearly wants to shut down the public hearing process and will do whatever it can to shut down the amendment process as well.

My colleague Tony Martin, from Sault Ste Marie, outlined the very limited public hearings that will be allowed

with respect to this particular piece of legislation: a handful of communities where a handful of members representing the disabled community will be able to come forward and have their say. That's it; that's all.

The worst thing is that I heard the minister, who was here earlier, say that he was interested in hearing the ideas from the opposition. He was interested in what we had to say. "Bring forward ideas; bring forward amendments." Well, if you actually look at the time allocation motion, it says it all. The time allocation motion says that the committee will meet on Tuesday, December 11, 2001, for clause-by-clause consideration of the bill and that "at 4 pm on the day of the clause-by-clause consideration of the bill, those amendments which have not been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto."

This government has no interest, not one second of interest, in receiving amendments, neither from the opposition parties nor, frankly, from the disabled community which, I know, is busy now scrambling to try and put forward amendments to make this bill at least a little bit palatable. This government is not interested in hearing from them.

People who are watching today and people from the disabled community should know that: the government is not interested in what you have to say, folks, about this bill. That is evident because of the very limited public hearings that will take place next week and it is very evident because of the time allocation motion itself, which says that if the committee is lucky to meet at 3 on December 11, it will meet for an hour—a single, lousy hour—to hear amendments and that will be it, that will be all. Who are you trying to kid, I say to the minister and to the government members who are here, by trying to pretend that you're even interested in hearing from the disabled community about how you might improve this lousy piece of legislation? It is clear you are not interested in hearing from them to do anything about improving this bill.

I listened to a former commissioner from the Human Rights Commission last week on Ontario Today. It was a wonderful interview and phone-in with Catherine Frazee, a former commissioner who has a disability herself, a mobility impairment. She did a fabulous job of taking this bill apart piece by piece to clearly show that it does not move the yardsticks forward for the disabled community at all. She was very articulate, very reasoned, very logical. Point by point she exposed Bill 125. That, of course, is what the government doesn't want, which is why the hearings are going to be so rushed, why we're shutting down second reading debate today and why there will be no opportunity for amendments to be put. She exposed this bill point by point and clearly showed that the yardsticks for the disabled who have waited for six years for something concrete from this government

are not moving forward by barely an inch under this legislation.

Let's just reinforce for the people who are watching out there some of the things the bill does and doesn't do. The province will create guidelines to address accessibility issues. While we don't know what the contents of those guidelines are, we do know that the province could have created guidelines six years ago if it wanted to do something for the disabled. They didn't have to wait six years to bring forward a bill that now says we're going to have some guidelines, content unknown. "We'll have some more studies, some more review. Maybe we'll do something five years from now for disabled people in this province."

The province is going to create an accessibility directorate and a series of accessibility councils in communities with a population of 10,000 or more, as if people who have disabilities don't live in communities with under 10,000 in population. Where are they going to have their say? You know what's interesting about the advisory committees? They'll have absolutely no power whatsoever to ensure compliance or enforcement of whatever might be passed. The only power they've got is to lobby this government hard and maybe there will be some change. We're going to set up advisory committees of disabled people, primarily, that will have no enforcement mechanism at all with respect to how we might have some meaningful change, how we might demand that the private sector, for example, do something, how we might demand that municipalities, for example, do something. They will have a voice and no power to make any change to go with that voice. That's a slap in the face for the disabled.

Provincial ministries, municipalities, the MUSH sector and transportation service providers will have to create accessibility plans every year. Of course, there's no mechanism to enforce anything in those plans. There are no timelines in the legislation with respect to when some of those plans have to come into shape and actually be in effect. There's no money, of course, to make any of the plans happen. So even if a municipality brings forward an accessibility plan that says they're going to try to make every building they've got, even previous buildings, accessible in every way, shape or form, there's absolutely no money that the province is going to give them to do that. How far down the road do you think we're going to get even in creating buildings where the disabled have access? I suggest to you, Speaker, that we're not going to get down the road very far at all when there's no money to make change, when there's no timeline to effect that change and when there's no enforcement mechanism to oblige that change to occur.

Only the government of Ontario itself will face any mandatory requirements to make sure there are no barriers in future structures that they buy, lease, renovate or build. Key words: "future structures." What about all the current government of Ontario structures that are not accessible to the disabled? Where are the money, the

timeline and the enforcement mechanisms to make sure current structures become accessible? There aren't any.

The bill says nothing about the obligation of the private sector to do one thing to make buildings more accessible, to make sure disabled people can be accommodated in workplaces etc, not a single thing. The bill is silent with respect to any obligation the private sector has with respect to accommodating the disabled. Do we really think that anything is going to change with respect to employing people who are disabled if employers in the private sector don't have to accommodate people with mobility or visual or hearing impairments? No, they will not. Nothing will change.

There are changes to the Municipal Act that allow municipalities to require new businesses to be accessible to get a business licence. The key word is "allow"; not "obligate," not make them responsible, to have to do that—"allow." So if the municipality really wants to do that, they may force that issue with new business owners, they may make that a requirement, but there is nothing that obligates them to do so. And the bill is silent with respect to existing barriers and existing businesses. Nothing happens with them.

1710

In the short time that I have, because our leader wants to say a few words as well, let me say this: 1.6 million Ontarians took this government at its word in 1995 when, as a commitment in the election campaign, this government committed to bringing forward an Ontarians with Disabilities Act. The three-piece bit of nonsense that was brought forward by the former minister, Isabel Bassett, was a disgrace. Thank God it didn't go anywhere. It wasn't worth the paper it was printed on. The sad reality is that we're here today, six years after the government made its first promise, and we aren't much further ahead. People have waited a very long time in the hope that we would be further ahead. The fact of the matter is that this bill doesn't even meet the 11 principles that this Legislature unanimously adopted as far back as 1998. So we have a scenario where the yardstick under this bill, if not significantly overhauled and changed, will not make the situation better for the disabled in this province.

I regret to say that I don't see anything in terms of the public hearing process or anything with respect to the ability of amendments to come forward that will allow the bill to be significantly overhauled so that it can meet the needs of the disabled. Because I recognize that we're shutting down debate today, that the hearing process will be so truncated and that there is no effective way to make amendments, it seems clear to me that the government is far more interested in going forward with a sham piece of legislation, with a bit of public relations, than they really are in going forward with a bill that will meaningfully change the lives of the 1.6 million Ontarians who are disabled. I regret that six years later we still find ourselves in this position in this province despite the government's promise of 1995.

**Mr Ernie Parsons (Prince Edward-Hastings):** As I look back on my family tree, it was maybe only two

generations ago in Ontario that for someone who was disabled the practice was to keep them at home. You didn't send them to school. You kept them out of the community, you sheltered them from the world, because I think in many ways we were ashamed of them. We have come to realize that they are full and equal partners with everyone in Ontario.

We heard commitments made six and a half years ago that we would ensure that they have equal access to living the same life as a citizen, as every other person. This bill doesn't do that. This bill says, "Well, you're welcome into part of our world. You're welcome into city hall, you're welcome into a municipal building and you're welcome into a province of Ontario building." Well, excuse me: you're welcome into city hall if we build a new city hall. You may not be able to get into this one but you can come into the next one if it is ever built. This time allocation motion says, "We don't even really want you in the process of telling us what we can do to remove the barriers for you." This time allocation causes things to happen with such expediency that it is ironic that the group that probably has the greatest challenge to come and meet with us and share their needs, their concerns and their suggestions has been given the least opportunity—nine days for the nutrient management bill, stretched over months and months; the hearings on this stretched over six days because this bill has to be rammed through.

It is ironic that a bill that purports, as we've heard the rhetoric over and over, to put the disabled community in the driver's seat to allow them to guide, to allow them to develop, to allow them to produce an Ontarians with Disabilities Act in fact gives them no control over the development of it. They can only hope to get some slot to do a presentation. When you look at the time frame, will there be the opportunity for any of these suggestions that come forward to be incorporated as amendments? There doesn't appear to be. If we look at history, a bill that's followed this path is pretty well cut and dried already.

Yet this government wasted six and a half years when they could have worked with Ontarians with disabilities to develop it. They wasted six and a half years. I am reminded of the expression, "Never time to do it right, always time to do it over." There isn't time to do this over. For many, many Ontarians with disabilities, they are sentenced to their homes or they are sentenced to a group home. They do not enjoy the freedom that we take for granted.

In my role as the critic for persons with disabilities, I will confess that after having been at it for a year, I'm still learning. Although we may label a group as "Ontarians with disabilities," the challenges are so unique with each individual. And so many of the solutions are so easy, but we've not availed ourselves of them.

The Ontarians with disabilities community is not looking for anything that the rest of Ontario doesn't have: they want to live in dignity, they want access to the services that every Ontarian has access to, they want to be accepted in the community as equals. Yet this bill

says, "We will spend money on large corporations but we're not going to spend money on your particular group."

With the hearings as they are now scheduled and with the bill as it's coming to the House, I would suggest it is almost cruel, because it purports to give someone some hope that they will finally have rights. None of us could picture wrapping up a Christmas present for our children, gaily decorated, ribbons and everything, and have them open it up and find nothing inside. But that is what this bill is for Ontarians with disabilities. The box is empty. The promises that were supposed to be in there are not there. There's a promise to do things in the future and to look at things. It's been six and a half years of that rhetoric. As Ontario has advanced, it is time now to deliver what we're perfectly capable of delivering.

But we rush it through. Yet the Ontario human rights commissioner identified the major challenge for Ontarians with disabilities as transportation to get to the hearings. Will you have all the services for deaf individuals and blind individuals? I hope so. I'm assuming you will. But it's not limited to that. We have deaf-blind in Ontario who require some very, very special expertise, so they can meaningfully participate for us. For Ontarians with developmental handicaps, these can be very difficult times and it can require a great deal of preparation to do a presentation. That's not allowed for in this bill.

We were not asking for an Americans with Disabilities Act transplanted into Ontario. We were looking for a made-in-Ontario act. After 10 years of the Americans with Disabilities Act, the evaluation by Americans with disabilities, by both the federal and state governments and by commercial industry and business, was that this is not a bad act. It cost relatively little to implement and it has worked well. So we need to recognize that there's no need to go back and reinvent the wheel. There is a need to do an Ontario one, but one that has some meaning.

It is quite obvious what the priority for this bill is when we recognize that there's no money whatsoever into it. There has been no money directed into this program to remove barriers for it. We talked before about no funding to solve macular degeneration. For individuals with hearing disabilities, this government has a program that provides up to \$500 for a hearing aid. It's always been \$500. If you go to purchase a hearing aid, as my family has in the last year, and you want to buy one that allows an individual to fully participate, the hearing aid is four times \$500. Those with money and those with jobs who have insurance coverage can acquire them, but far too many of our citizens cannot.

The Ontarians with disabilities who require the ODSP to live on, to survive, get \$930 a month, absolute maximum. Many get less. Try to rent an apartment in Toronto, try to buy food, try to have a life on an amount that has not changed since 1990.

The concept of "voluntary" is touted here: "We don't want to enforce. We don't want to do things until the municipalities are comfortable with that." I didn't hear this government say to municipalities, "When you're

comfortable with safe water, we think you need to put some standards in." We recognize there are certain fundamental issues, such as safe drinking water, and it is not voluntary for safe drinking water; it's absolutely mandatory.

1720

It's interesting that wherever things are voluntary and self-policing, nobody ever seems to do anything wrong. The life of an Ontarian with a disability is just as valuable as the life of a person who doesn't have a disability or has not yet acquired one. They are entitled to medical services; they are entitled to go shopping; they are entitled to go to a restaurant; they are entitled to a job. There is nothing in this bill that would provide the education, because so many people do not know how to relate to an Ontarian with a disability, and that's their problem, not the person with the disability. We need an education program that provides us with the skills we need. This bill doesn't do that.

We have been challenged that the Liberal Party and my colleague Steve Peters—we have heard time and time again that there are no recommendations. It is very clear what the Liberal Party would do: first we identify the problem, with full, open public consultation. It has not happened and it's going to happen in a limited way. We have committed to following the 11 principles that were passed in this House, passed unanimously by every party. What will the Ontario Liberal Party do? They will follow the 11 principles, and the disabled community says to us, "If they are followed, then we have achieved what we need to be full citizens."

**Mr Steve Peters (Elgin-Middlesex-London):** On May 24, 1995, Mike Harris promises in writing an Ontarians with Disabilities Act in the first term of office. What did we see in December 1998? A three-page, toothless piece of paper. On November 23, 1999, one year and 363 days ago, this House unanimously endorsed a resolution that a strong and effective Ontarians with Disabilities Act should be enacted no later than November 23, 2001. Here we are on November 21, 2001, two days away from that deadline, and what do we have in front of us with this Bill 125? Not a piece of legislation that is strong and effective, but a piece of legislation that is weak and ineffective.

I think it's a sad day for persons with disabilities in this province that we don't have a strong and effective piece of legislation, that we do not have a piece of legislation here that has the 11 principles that were unanimously endorsed by this Legislature. Are those 11 principles contained in this piece of legislation? No, they're not. Maybe one of those principles is included in this.

I'm holding this up tonight because the minister last night said nobody was holding up the bill. I'm holding up the bill tonight and it's not a very heavy bill; it's a pretty light bill and it's a pretty weak bill.

I spent 14 months as the critic responsible for disabilities issues. When I was out and about and doing my critic responsibilities, I thought of three people regularly.

One was my dad, Percy, who through diabetes had lost his leg. That's when it hit home for me and my family that any one of us could suddenly be hit with a disability in our own home, and how that changed the lives of our family. I thought about my dad pretty regularly as I toured around the province.

A couple of other people I thought about as I toured around: a good friend of mine, Wild Bill McCormick. When I was the mayor of St Thomas—Bill is a paraplegic who was injured in a motorcycle accident—Bill would regularly come to my office as mayor to make me aware of issues and improvements we could make within our community. I'll always be grateful for that.

The third person I thought about was a gentleman by the name of David Watson. David has cerebral palsy. David is a true inspiration to anybody who has a disability, because David never let that disability in any way, shape or form get in the way of what he was doing. David was a real advocate for persons with disabilities. Those three individuals gave me inspiration.

I'm saddened today when I start to read through this legislation, because when it starts out first off with the duties of the government and the various sections of this legislation as to how it's going to apply to the government of Ontario, do you want to know the joke of it? We don't need this legislation to have these things apply to the province of Ontario. With a stroke of the pen this government could have implemented every one of these measures, but this government didn't do that.

As you go into this legislation and you look at what it talks about for the government and what the government has to do, there's not a single timeline applied to this. Worse yet, it's not retroactive. It's only on new buildings and new leases.

As you go on, it talks about the duties of municipalities. I can tell you, municipalities have been leaders. Municipalities across this province have recognized that when they constructed facilities, they needed to construct them in a barrier-free manner. They've been doing that because they follow the building code. Municipalities recognized that they had to do everything they could to make sure sidewalk cuts were put in. I commend the city of St Thomas because they've continued that program of replacing sidewalks and ensuring that sidewalk cuts are put in. Municipalities have been doing that.

As you go on in this legislation, one of the glaring omissions is that it talks about municipalities, about schools, about hospitals, about colleges and universities, but do you know what it doesn't talk about? It doesn't talk about the private sector. That's not contained in this legislation and it should be, because if this legislation is going to be truly strong and effective, it should apply to everybody across this province. It's not in this legislation.

This legislation talks about the Accessibility Advisory Council of Ontario. Do you know what, ladies and gentlemen of this province? We used to have a council very similar to this in this province. Guess who cancelled it? The Harris government did in 1995. That was there,

and now they're bringing it back and touting what a wonderful thing it is.

It goes on: you talk about the Highway Traffic Act. I think we do need to crack down on the abuse of the stickers and we do need to crack down on people abusing parking spots, but this legislation doesn't apply to a mall. This only applies to a municipal parking lot. That's a joke.

I commend the government for removing the word "handicap" from this legislation and from other pieces of legislation in dealing with persons with disabilities.

I'm extremely disappointed in this government because I thought that with the number of resolutions that had been unanimously endorsed in this House, they would incorporate the 11 principles, that this would be a strong and effective piece of legislation, not a weak and ineffective piece of legislation.

What's worse yet is they're ramming it through. We've got closure in front of us and they're going to ram this legislation through. But do you know what also is worse? At least the Minister of Agriculture, when dealing with nutrient management legislation, recognized he had to travel all over this province. The Minister of Agriculture made the commitment to go to nine municipalities. Further yet, the Minister of Agriculture made the commitment for full consultation on the regulations, and that's not here.

It's very disappointing, and I know that persons with disabilities in this province—we've seen the number jump from 1.5 million to 1.6 million. That's 100,000 new persons with disabilities who are living in this province since the Mike Harris government took office in 1995. This is definitely weak and ineffective legislation.

**Mr Howard Hampton (Kenora-Rainy River):** I'm pleased to take a few moments to take part in this debate. Having listened to some of my colleagues in the Liberal Party, I just want to be clear about something, because on the day this proposed legislation was introduced, the Liberal leader spoke and said he wanted "to congratulate the minister and the government for getting religion on this issue" and then said he believed the legislation was good legislation.

I take it now, from listening to some of my Liberal colleagues, that the members of the Liberal Party have changed their position and that they wish to retract the statements of November 5 when they felt the legislation was good legislation and the government deserved to be congratulated. I'm hoping we can get some greater clarity from members of the Liberal caucus because I want to know what their real position is on this.

1730

When we looked at the legislation on November 5, when it was introduced, we pointed out a number of things and I want to emphasize them here today.

This legislation essentially does nothing with respect to the private sector. All of those people in Ontario who struggle with their handicaps and their disabilities would see absolutely no change as a result of this legislation in terms of buildings owned by private sector corporations,

in terms of either accessibility or any other changes that would be somehow beneficial to those who are disabled.

Second, I simply want to point out again that the only obligation this legislation imposes or requires of municipalities is that they file a plan. Once they've filed the plan, they don't have to do anything about the plan. They don't have to make any changes. They simply have to file a plan.

Third, and I think this is important, the government says that through this legislation they will set up local advisory committees. As we pointed out on the day this legislation was introduced, advisory committees have absolutely no power. They can't require private sector companies to do anything. They can't require municipalities to do anything. They can't require the provincial government to do anything. All they can do is hold a committee meeting and make note of all the buildings, all the public facilities, all the private facilities which are not accessible to people who are handicapped, which need to be physically changed or need to have some additions made so that they will be more accessible, will be more friendly toward those who have handicaps, those who are disabled. All they can do is come forward and make these recommendations, but there is no obligation on municipalities, there's no obligation on the provincial government, there is no obligation in terms of private sector operators to do anything. They can simply wave their hand.

If anything, I believe that when you look at this and you consider all the promises made by this government, when you consider the resolution that was passed in this Legislature, the 11 principles that were put forward in this Legislature, when you consider all of that and then you consider this legislation, you're left with the feeling that this legislation is cynical, at best, because it doesn't make any changes—not now, not next year and not the year after that. It provides these hollow local advisory committees that have no authority, no power. At the end of the day, if someone after the passing of this act wants to make changes, the only thing they can do is what they do now: go to the Ontario Human Rights Commission and file a complaint. And they're going to be met with a response from the Ontario Human Rights Commission that they don't have enough staff, don't have enough resources, don't have enough budget and can't do anything.

So what's changed? About the only thing I can see that has changed is that there was a whole lot of media spin put out by the government, a whole lot of propaganda put out by the government, a whole lot of work done in bringing some of the government's friends down here, paying their way down here, paying for dinner for them and then putting them in front of a microphone and saying, "Well, can you say something good?" We learn now that the very people who did that had not even seen the legislation. Cynical at best.

What needs to be done? If the government wanted to table a whole series of amendments here and now addressing those issues, requiring the private sector to make

changes, requiring municipalities to do more besides just file plans, setting out this government's requirements that this government make changes, I think at the very least that's what needs to be done. If the government cannot file amendments which address the 11 principles and address the promises that this government made and once again has failed to keep, then I don't see anything that is really worthy in this legislation.

**Mr Dwight Duncan (Windsor-St Clair):** In the brief time allotted to me as a result of this attempt to muzzle the Legislature, I will address specifically the 11 points the minister addressed earlier that were part of my resolution in 1998. The minister made the accusation that we have not stated our position. Let's see what was in that.

The first point dealt with the removal of existing barriers and preventing the creation of new barriers. That has to be done. It's not done in this bill. It's part of our platform.

(2) The ODA would "supersede all other Ontario legislation." That is not done in this bill. It has been done in federal legislation. For instance, the Ontario Human Rights Code supersedes all other legislation.

(3) Companies, organizations, government entities and public premises would be made fully physically accessible to all persons with disabilities through the removal of existing barriers and the prevention of creation of new barriers—private and public. Clearly, there would have to be a negotiating phase over how the regulations would apply, over what time, over what companies. But that is something that was voted on by that party, part of the 1998 resolution, and is not even addressed in here.

(4) "Providers of goods, services and facilities to the public to ensure that their goods, services and facilities are fully usable by persons with disabilities, and that they are designed to reasonably accommodate the needs of persons with disabilities"—not in this bill; not contemplated in the bill. I don't believe it was discussed in the secret talks the minister had with various interest groups across the province.

(5) The ODA "should require public and private sector employers to take proactive steps to achieve barrier-free workplaces within prescribed time limits"—not present in this bill at all, anywhere. Simply not present.

(6) "Prompt and effective process for enforcement." There's no enforcement mechanism present in this.

(7) "Process of regulation-making to define with clarity the steps required for compliance with the Ontarians with Disabilities Act"—nothing in the bill about the regulatory process. The bill doesn't frankly contemplate the regulatory process.

*Interjection.*

**Mr Duncan:** At one point they did.

(8) "Education and other information resources to companies, individuals and groups who seek to comply with the requirements of the Ontarians with Disabilities Act."

*Interjection.*

**Mr Duncan:** The minister laughs. He can laugh all he wants. Nobody but the March of Dimes supports you—nobody. I say shame on the March of Dimes for supporting this, otherwise a worthy group. I oppose them. I wrote them a letter—won't support them any more.

Dean LaBute doesn't support this legislation. Dean, I know you're listening. We just spoke a couple of minutes ago. He does not support this legislation. He's looking forward to the committee hearings next Monday in Windsor. Don't suggest that he supports it; he doesn't. I just finished speaking with him about it.

*Interjection.*

**Mr Duncan:** I don't support their position on this, and I think they made a bad mistake in taking the government's bait. I've told them that.

*Interjection.*

**Mr Duncan:** I don't support their position on this bill.

(9) "Affirmative steps to promote the development and distribution in Ontario of new adaptive technologies and services for persons with disabilities"—silence in this bill. This is a non-bill.

(10) "The Ontarians with Disabilities Act should require the provincial and municipal governments to make it a strict condition of funding any program, or of purchasing any services, goods or facilities, that they be designed to be fully accessible to and usable by persons with disabilities"—not in the bill. Part of the resolution that you voted for; not part of this bill.

(11) The key to the achievement of these important goals is the enactment of legislation which provides a means for giving specific direction to employers, landlords, school boards, service providers, manufacturers and sellers of goods and the like and what existing barriers must be removed and what new barriers must be avoided, as well as how this should be done.

Very clearly put out, outlined, adopted by this Legislature—not part of the legislation. This legislation is nothing more than smokescreen. It does not do what the government says it will. I read with interest—the minister from London would have read her newspaper's editorial saying, "Disabilities Act Leaves Little to Applaud," and it does; it's nothing. It is absolutely nothing. It is yet again another attempt by this government to ignore the very real concerns of the disabilities community.

It is late in the mandate. There will be a new Premier next year. There will be an election. And as we did in 1999, as we did in 1998 in this House, we will continue to support the 11 principles and outline how they take effect in legislation. This is a sorry attempt by a sorry government on its last legs to fulfill a broken promise that does not commit to anything. The minister from London has a lot of problems in her riding. I can understand her frustration.

1740

*Interjections.*

**The Acting Speaker:** Order. We'll not have a debate back and forth. If you want to here, fine. If not, either leave on your own or I'll help you. The Chair recognizes the member for Windsor-St Clair.

**Mr Duncan:** The London Free Press today says, "Disabilities Act Leaves Little to Applaud." There is nothing worth applauding in this bill—very, very little. It's just a retreat from the very principles adopted unanimously by this Legislature in 1998. It's an affront, in my view, to the disabilities community. We will participate in the hearings. We will vote against the bill. We'll look forward to a complete rewrite of the act in committee, which won't happen—we know that. All the secret talks the minister had—it's interesting, 49 out of 50 groups are now saying they don't support this, including the Dean LaButes of the world and many others.

You can allege that they support this. I know he's watching now. I know he'll be interested to hear what you just said, but it's not accurate, and it's a shame that you would attempt to use people in that way. This bill is bad. This bill should not have been supported by any group that supports and advocates for the disabled. This bill should not have been supported by any group that claims to be an advocate for the disabled. It's regrettable that they were taken in by this.

We'll vote against. In a couple of years time we'll have an opportunity to put into place the principles that every member of this House voted for, including the member from London, who won't stand up for her hospitals, who won't stand up for the disabled in her community and will not acknowledge that her government has failed the disabled community in this province yet again in a miserable, inglorious way.

**Mr Caplan:** I usually start off my remarks by saying it's a pleasure to speak to something on behalf of the people of Don Valley East, but it really isn't. This is yet another closure motion, a gag order on the Legislature. How could it ever be a pleasure to speak to that, when that's the normal course of action and when this Legislature is shut down for the very purpose it was meant for, which was to discuss important matters? That's what happening here today: people who are going to be watching this on television will see a banner on their screen which says a motion for time allocation—it's closure, plain and simple, because the government does not want people to take a look at Bill 125, the Ontarians with Disabilities Act. They do not want discussion and debate, because once you go below the surface of the title, you find out that there is very little contained therein.

I would commend the minister and the government for the notion of accessibility advisory councils and the Accessibility Directorate of Ontario, but you don't need this bill to be able to do those things. You could do them anyway, so why do we have a bill in front of us without any real substance, without any meaning? That's the real sham, that's the real disappointment, that's what people in Don Valley East have been saying to me. When I was in my riding last week, people were talking about this, and I say to the government, beware, you've been unmasked. If you want to do something, do something meaningful. We on this side of the House will work with you. We believe in the 11 principles passed unanimously

by each and every member of this Legislature. It comes from a philosophy and a principle of expanded opportunity. The 20th century's greatest move forward was when women were given the ability to fully participate in society. We enjoyed the greatest prosperity in the history of mankind.

That's the philosophy behind an Ontarians with Disabilities Act, to allow people, all people, an opportunity to be a full partner and to participate fully in employment and in educational opportunity across this province. It's that philosophy that has been undermined, that has been, quite frankly, abused by Bill 125.

When I was a member of the North York Board of Education, there was a federal program to provide infrastructure dollars. We used those dollars to build lifts in our schools, to change the hallways to make them accessible, to build ramps, to make it possible for children and their parents to have access to our schools. That is the kind of real action that could happen with a real and effective Ontarians with Disabilities Act; not with some pabulum, not with some, frankly, next to meaningless bill.

I remember, by the way, I was at the March of Dimes dinner, as was the Minister of Citizenship, when Elizabeth Dole talked about the Americans with Disabilities Act and, quite frankly, if she heard the things coming out of the mouths of this minister or members of the cabinet or backbench members of the government about how the Americans with Disabilities Act is a sham, she would be absolutely floored, because that was not the line then. It is not the truth now and that is not the way it is. That was a bipartisan effort to give all Americans an equal opportunity for partnership and a chance at education and employment, to be full participants in society. It has worked. Poll after poll, in fact every study, has proven and shown that the Americans with Disabilities Act has been a tremendous boon to Americans, to their prosperity.

An Ontarians with Disabilities Act, one with teeth, with meaning, could have equal importance for the people of Don Valley East for sure and for all people in Ontario, because the philosophy says, "We're not doing something for people with disabilities; we're doing something for ourselves." By allowing others to participate in our society, we all benefit, and I can't understand for the life of me why this government just doesn't get that, why the Premier made those promises, why he's not prepared to fulfill those promises, why this minister doesn't get it, but Dalton McGuinty and the Liberal Party do and we will do something about it.

**Hon Mrs Cunningham:** Mr Speaker, on a point of order: I'd like to introduce, on behalf of my colleagues in the House this afternoon, Mr Vince FitzGibbon, who is the president and cofounder of Brain Injury Community Re-Entry in Niagara—he is the parent of a son with acquired brain injury; Mr Al Hubbard, from Mississauga, who is also a parent of a brain injury survivor; Mr Clement Lowe, from Mississauga, who is a brain injury

survivor; Trudy and Louis Kieven from Hamilton—they are parents of a brain injury survivor; and Marilyn Shaver, of Thunder Bay, who is a parent of a brain injury survivor.

In spite of the debate that's just taken place, we're all going to make every effort to be together with this wonderful group who are hosting us at a reception in a few minutes.

**The Acting Speaker:** That is not a point of order, but we welcome you to our Legislature.

Mr Jackson has moved government notice of motion number 93. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 10-minute bell.

*The division bells rang from 1749 to 1759.*

**The Acting Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

**Ayes**

Arnott, Ted	Hastings, John	Sampson, Rob
Baird, John R.	Hudak, Tim	Snobelen, John
Barrett, Toby	Jackson, Cameron	Spina, Joseph
Beaubien, Marcel	Johns, Helen	Sterling, Norman W.
Chudleigh, Ted	Kells, Morley	Stewart, R. Gary
Clark, Brad	Klees, Frank	Stockwell, Chris
Clement, Tony	Martiniuk, Gerry	Tascona, Joseph N.
Coburn, Brian	Maves, Bart	Tilson, David
Cunningham, Dianne	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Turnbull, David
Elliott, Brenda	Molinari, Tina R.	Wettlaufer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David
Hardeman, Ernie	Runciman, Robert W.	

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic	Curling, Alvin	Martin, Tony
Bisson, Gilles	Dombrowsky, Leona	McGuinty, Dalton
Boyer, Claudette	Duncan, Dwight	McMeekin, Ted
Brown, Michael A.	Gerretsen, John	Parsons, Ernie
Bryant, Michael	Hampton, Howard	Patten, Richard
Caplan, David	Hoy, Pat	Peters, Steve
Christopherson, David	Kennedy, Gerard	Prue, Michael
Churley, Marilyn	Kormos, Peter	Ramsay, David
Colle, Mike	Lalonde, Jean-Marc	Ruprecht, Tony
Conway, Sean G.	Marchese, Rosario	Smitherman, George
Crozier, Bruce	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 47; the nays are 32.

**The Acting Speaker:** I declare the motion carried.

It being well past 6 o'clock, this House stands adjourned until 6:45.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Lankin, Frances (ND)	Hastings-Frontenac-	Dombrowsky, Leona (L)
Bramalea-Gore-Malton-	Gill, Raminder (PC)	Lennox and Addington	
Springdale		Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
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Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Assemblée législative  
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Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 21 November 2001

Mercredi 21 novembre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 21 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 21 novembre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

RESPONSIBLE CHOICES FOR GROWTH  
AND FISCAL RESPONSIBILITY ACT  
(BUDGET MEASURES), 2001

LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS  
FAVORISANT LA CROISSANCE  
ET LA RESPONSABILITÉ FINANCIÈRE  
(MESURES BUDGÉTAIRES)

Mrs Elliot, on behalf of Mr Flaherty, moved second reading of the following bill:

Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the minister from Guelph.

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** Mr Speaker, before I begin, I'd like to indicate that I'll be sharing my time with the member from Parry Sound-Muskoka and the member from Northumberland.

I'm pleased to rise today in the debate on Bill 127. Since 1995 tax cuts have played a vital role in this government's long-term economic plan. The effectiveness of tax cuts in stimulating the economy has been demonstrated time and time again and is indisputable.

Under this government's leadership, a total of 824,200 net new jobs have been created since 1995.

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: On this critical debate, would you check if we have a quorum, please?

**The Acting Speaker:** You check if there's a quorum present, please.

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the minister from Guelph.

**Hon Mrs Elliott:** Under this government's leadership disposable income has increased by 20%. Deficit and debt reduction targets have been overachieved in each of

our six years. Tax revenues have increased by nearly \$15 billion and Ontario's real GDP grew by 26%, an average of 4.7% per year over the 1996 to 2000 period. Clearly, in Ontario we have shown that tax cuts work.

I would like to address this government's commitment to continued economic growth and to reducing the tax burden on people and business in light of the legislation before us, the Responsible Choices for Growth and Fiscal Responsibility Act, 2001. I would like to explain why it is vital we support this act.

The tragic events of September 11 have clearly had an influence on every aspect of our lives. We have now entered a time of uncertainty on many levels, not the least of which is economic. I understand that some individuals have questioned the Ontario government's commitment to cutting taxes during a period of economic uncertainty. On this side of the House, we believe that sticking to our economic plan and continuing to cut taxes is now more important than ever.

Tax cuts are important at a time such as this to demonstrate our belief in the bright prospects for growth in Ontario, as well as the skill, effort and commitment of the province's workers.

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Let's look at some of the things that respected commentators have said about tax cuts.

An article in the *Globe and Mail* on October 4, less than a month after the tragic events of September 11, certainly indicates that US President George W. Bush believes in tax cuts. This article says, "Laying out the broad outline of the proposed economic stimulus, Mr Bush said the package should include tax cuts to boost consumer confidence, spur business investment and to cushion the blow for laid-off workers. He added that the two most effective ways to do that are in giving rebates and accelerating previously announced tax cuts."

Two days later, we have these words in the *National Post* from Robert Mundell, an economist at Columbia University: "Policy-makers are making the right decisions to deal with the pre-September 11 slowdown.... Tax reductions will neutralize the effects of the attacks." Referring to proposed tax cuts, Mr Mundell says: "I think that the measures that have been taken because of the terrorist attacks more than compensate for the effects of those attacks." He goes on to say, "If we got a cut in the corporate tax, this would cause the stock market to soar and recovery would be much faster."

We had committed to individual and corporate tax cuts before September 11. In the Ontario 2001 budget, we

announced a schedule of cuts to be made to personal income, corporate income and capital taxes. The next steps in these cuts were to come into effect on January 1, 2002. On October 1, we introduced a proposal to accelerate these planned tax cuts. We are following through with our commitment to the economic course that we set in 1995, which demonstrated its worth and received the endorsement of the people of Ontario in 1999.

Speeding up these personal income tax cuts means people would have an earlier opportunity, for instance, to save for their children's education, perhaps to spend on clothing, on school supplies or sporting equipment for themselves or their children, and possibly to invest for their retirement.

Accelerating our corporate tax cuts would be a clear signal that Ontario remains committed to further improving the climate for investment here in this great province.

The tax cuts we have already implemented have put Ontario in the enviable position of having had better rates of job creation than the entire rest of the country for the past five years. As I mentioned earlier, Ontario's economy has helped to create 824,200 jobs since September 1995. This is almost half of the jobs created in the entire country, even though Ontario has less than 40% of Canada's population.

Speeding up personal income tax cuts would give about 60 million additional tax dollars back to Ontario taxpayers for the 2001 taxation year. Some 325,000 people who, despite having lower incomes, used to pay Ontario personal income tax now pay no income tax to Ontario. That is thanks to our tax cuts. The personal income tax cuts announced in the 2001 budget will remove another 75,000 people from the income tax rolls. This means that we will have more than doubled, to 735,000, the number of low-income earners who will pay not one cent of Ontario income tax. But, I must point out, these folks will still be required to pay federal income tax.

We propose to implement income tax cuts planned for January 1, 2002, three months earlier, on October 1. Those paying the lowest and middle rates would see their rates drop to 6.16% and 9.22% respectively for the 2001 taxation year, and 5.65% and 8.85% by 2003.

Staff at the Ministry of Finance are working closely with the Canada Customs and Revenue Agency and the Canadian Payroll Association to implement these tax cuts in the quickest, most straightforward way possible. The revised Ontario withholding tables and formula will be posted on the CCRA's Web site. Employers are expected to make their best efforts to ensure that employees receive the benefit of those proposed tax cuts as soon as possible.

Turning to corporate tax cuts, the accelerated cuts would return about \$116 million to businesses, enabling them to maintain and extend investments in employees and equipment. The corporate income tax cuts that were scheduled to take effect on January 1, 2002, will be accelerated to take effect three months earlier, also on October 1, 2001. If passed, this legislation means that

effective October 1, the general corporate income tax rate would be cut to 12.5%, the manufacturing and processing rate to 11%, and the small business rate to 6%, and the small business income threshold would be increased from \$240,000 to \$280,000. In addition, the capital tax deduction on the first \$5 million of taxable capital would be accelerated by three months, to take effect October 1.

This measure would eliminate the capital tax for more than 11,000 small businesses, as well as reducing it for businesses that pay this tax presently. The capital tax is a fixed cost for business. It's not based on the ability to pay, and businesses have to pay this tax even if they don't make a profit. In periods of economic slowdown when businesses have to cut costs, the capital tax forces businesses to cut where they have flexibility, hits wages hardest, and is a potential job killer. No business in Ontario should have to choose between paying taxes and paying wages. A tax on capital discourages investment when investment is needed to boost productivity and standards of living.

The government is taking action needed to ensure Ontario's international competitiveness, especially with its major trading partner, the United States. Many of the countries that have enjoyed the strongest growth in their standards of living in the past decade have cut their corporate income tax levels to rates far below the Canadian average. These countries include Ireland, the UK, Denmark, Norway and the Netherlands.

We began cutting the general corporate income tax rate in 2000. Earlier this year, Bill 45 legislated the full schedule of corporate income tax rate cuts each year between now and 2005. When our rate cuts are complete, Ontario will enjoy a lower combined CIT rate than any of the 50 American states, and no Canadian province would have a lower general corporate income tax rate. Lower corporate taxes will increase economic growth and living standards and will bring benefits to people in Ontario.

Our commitment to lower rates also gives businesses certainty. Our taxpayer protection legislation means that businesses know they will not be hit with tax increases. We are sending a powerful message to the rest of the world that Ontario is the best place in North America to do business. Cutting corporate tax rates builds on our goal of making Ontario the best-performing economy in order to provide the highest quality of life in North America. Unquestionably, it is essential to have a strong and growing economy in order to invest in our priorities.

This government's record on the economy speaks for itself. Cutting taxes is the best and most certain route toward achieving economic growth. That is why tonight I urge you to support the Responsible Choices for Growth and Fiscal Responsibility Act, 2001. We should ensure that our plan to accelerate cuts to personal income, corporate income and capital taxes is put into action now. The Ontario economy is diverse and resilient, but what we want is to build on this foundation, not merely rely on it. Because we were proactive and did not shrink from making tough and responsible decisions, I believe On-

tario is now better positioned to withstand any economic challenges that face us.

We now have the opportunity before us to be proactive once more. By remaining true to our principles, continuing to make responsible choices and tenaciously pursuing our solid economic plan, we can ensure a bright tomorrow. That is why I will most definitely be supporting the Responsible Choices for Growth and Fiscal Responsibility Act, and I urge my colleagues here in the Legislature to also do so.

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**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate on Bill 127. I will outline for you today the key measures in Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, which was put forward by the Honourable Jim Flaherty, Minister of Finance, and introduced to the Legislature on November 6, 2001.

In addition to measures announced in the 2001 Ontario budget, this bill contains a number of initiatives announced in recent weeks, including tax cuts and commitments to infrastructure. Together, these measures will help our government meet our goal of ensuring that Ontario has the best-performing economy and the highest quality of life in North America within the next 10 years.

Accelerated tax cuts: As you know, tax cuts have been an integral part of this government's comprehensive economic policy since 1995. Tax cuts are the single most important reason why here in Ontario we've enjoyed strong economic growth and we've seen a total of 824,200 net new jobs created since 1995, why disposable income has increased by 20%, and tax revenues, while we've had tax cuts, have increased by nearly \$15 billion since 1995: more money for the government to spend on its various programs.

In the 2001 budget, we announced further cuts to personal income tax, corporate tax and the capital tax, which were intended to ensure that our province continues on the road to prosperity. The next steps in these cuts were to come into effect January 1, 2002. The tragic events of September 11 and the aftershocks rippling through our economy have led us to rethink our schedule for implementing these cuts and have resulted in our decision to accelerate these cuts to October 1, 2001.

Accelerating the tax cuts would provide a more immediate stimulus to the provincial economy, which is currently experiencing slower growth than it has for the last few years. Accelerating cuts to personal income tax would leave more money in the pockets of Ontario's taxpayers during these more difficult times. It also shows confidence in the people and the economy of Ontario, and business decisions are often made by the confidence that business people have and individuals have in the future of our economy and what's going on in the province. Accelerating corporate income and capital tax cuts would free up about \$116 million in saved taxes this year that businesses and individuals can use for investing and helping keep workers on the payroll. Cuts to business

taxes also send a signal to investors that Ontario is open for business.

Last night I attended a seminar put on by a mutual fund company. I was really pleased to see that they were recommending growth funds and equity funds to all their investors. That is, to me, a positive sign that they have confidence in the future of the economy in this province and in this country and are recommending that people buy into the equity firms and expect growth to happen in the next few years.

Tax cuts will remain an important part of our economic policy.

The \$100 one-time payment to low-income and middle-income working families: Slower economic growth, such as that currently being experienced in the province, affects both the people and the businesses of Ontario. We know that low- and middle-income families with young children are particularly hard hit by an economic slowdown, and we believe it is important to provide these families with some extra help at this time. This bill proposes to provide eligible low- and middle-income families with a one-time, tax-free payment of \$100 for each child under the age of seven to help them do what they do best: care for their children.

This proposed one-time payment has generated tremendous excitement among the citizens and businesses in this province. I encourage retailers across the province to put their support behind these payments and enhance them. This will only add to how helpful this measure will be to Ontario's low- and middle-income working families. I know the Minister of Finance was at Sears, where they have agreed to increase the benefit by 10%, and hopefully other companies are going to join the bandwagon and offer further enhancements to this program.

Repatriation of GO Transit: As promised in the 2001 Ontario budget, the province is assuming a leadership role in promoting an efficient, integrated transportation system across Ontario. Taking back responsibility for GO Transit is a significant part of our promise, and it demonstrates our commitment to addressing traffic gridlock throughout the greater Toronto area, supporting economic growth and protecting the environment.

Municipalities in the greater Toronto area would benefit from this initiative, as relieving them of the responsibility for GO Transit would free up \$100 million for reinvestments in local and regional transit priorities. Commuters would benefit by enjoying more efficient methods of transportation choices, as well as having less gridlock to contend with and more time to spend with their families. Businesses would benefit because an efficient transportation system reduces costs, improves competitiveness, attracts investment and supports economic growth. Finally, the environment would benefit from a reduced dependence on automobiles by commuters, reduced air pollution, and reduced congestion on provincial highways and other roads. The anticipated, and achievable, outcome of our bold transit initiative therefore is cleaner air, less crowded roads, more competitive businesses and a higher quality of life.

Further support for small and medium-sized businesses: It is estimated that small and medium-sized businesses create more than half of all new jobs. During a time of slower economic growth, these businesses are more important than ever to our provincial economy. Since 1995, we have introduced measures designed to assist small and medium-sized businesses in the province, and this bill would continue our legacy of support. Certainly we have seen in times when the economy has slowed down that if somebody is laid off from a job, they often start their own business and become that new small business and become self-reliant.

Accelerating the application of the small business income tax rate: We are proposing to accelerate the application of the small business income tax rate to more businesses. Currently this rate is 6.5% and applies to the first \$240,000 of income. We would accelerate the reduction from 6.5% to 6% and raise the eligibility threshold from \$240,000 to \$280,000, effective October 1, 2001. Certainly this is especially important in my riding of Parry Sound-Muskoka, where approximately 80% of the businesses are small businesses, and they are so important to our local economy.

These initiatives were first announced in the 2000 Ontario budget and were originally scheduled to take effect January 1, 2002. However, accelerating the application of the reduced rate and the increased threshold to October 1, 2001, would provide more immediate benefits for Ontario's small and medium-sized businesses, which is vital during this period of global economic uncertainty.

Simplifying tax filing procedures for small businesses: Less red tape is always a good thing for small business, because if you run a small business, you are usually working long hours and your time is certainly much better spent doing your job, looking after customers and all the many different jobs you end up doing in a small business. So you always appreciate having less red tape, less work to do on behalf of the government.

Currently, corporations are required to pay monthly corporate tax instalments if annual tax payable in the current or preceding year is \$2,000 or more. We understand that Ontario's small business owners would rather focus their efforts on creating jobs, not filling out unnecessary or complicated paperwork.

In the 2001 budget, therefore, we proposed to reduce red tape for Ontario's small businesses by allowing businesses with corporate tax of at least \$2,000 and less than \$10,000 to remit tax instalments quarterly instead of monthly. This change would apply to taxation years commencing in 2002. Allowing a simplification of tax filing procedures is a significant red tape reduction measure that would help encourage the growth of Ontario's small business.

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Community small business investment funds: We are proposing to extend the deadline for registering new community small business investment funds for an additional year, from December 31, 2001, to December 31, 2002. This would allow the program to continue to

raise venture capital for small business, especially in the areas of university and hospital research commercialization.

Restoring support for research and development: One of Ontario's most important tax-based incentives for research and development is the superallowance, which provides over \$100 million in benefits to research-and-development-performing firms. The federal government, in its 2000 budget, stated that provincial deductions for research and development in excess of actual expenditures would be treated as taxable government assistance. We made our opposition to this measure very clear. We do not believe in eroding support for research and development in Ontario. In order to maintain support for research and development and to respond to the 2000 federal budget, which raises the cost of research and development in this province, Ontario's 2001 budget proposed to suspend the research and development superallowance and allow corporations to exclude the federal research and development tax credit from Ontario taxable income. Ontario's proposed action would restore research and development tax benefits for most firms to their level before the federal budget.

Our government recognizes the need to have a healthy, thriving business community to generate the tax revenues government needs to provide the programs that all Ontarians want. This bill affects a number of different acts. It creates two new acts, the GO Transit Act, 2001, and the Highway 407 East Completion Act, 2001, and it affects many others acts, including the Assessment Act, the Business Corporations Act, the Commodity Futures Act, the Community Small Business Investment Funds Act, the Education Act, the Electricity Act, 1998, the Employer Health Tax Act, the Estate Administration Tax Act, the Fuel Tax Act, the Gasoline Tax Act, the Income Tax Act, the Land Transfer Tax Act, the Mining Tax Act, the Municipal Act, the Municipal Property Assessment Corporation Act, the Ontario Guaranteed Annual Income Act, the Ontario Northland Transportation Commission Act, the Provincial Land Tax Act, the Race Tracks Tax Act, the Retail Sales Tax Act, the Securities Act, the Greater Toronto Services Board Act, the Tobacco Tax Act, the City of Hamilton Act, the Social Housing Reform Act, the Corporations Tax Act, the Toronto Area Transit Operating Authority Act, the Highway 407 Act and others. As you can see, it's a very comprehensive bill affecting many different acts.

Throughout my remarks I have spoken of our measures to address current economic challenges, of our responsible choices to benefit the people and businesses of this province. We are committed, through the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, to protecting the gains we have made and to ensuring that the outlook remains bright for Ontario's future.

Thank you very much, Mr Speaker, for letting me speak on this bill this evening.

**Mr Doug Galt (Northumberland):** I appreciate the opportunity to speak on Bill 127 in the very few minutes

left of our hour to expound on this bill. But I do appreciate the comments that have been made already by the distinguished member from Guelph-Wellington, who is also the Minister of Intergovernmental Affairs, and the most recent member to our caucus, from Parry Sound-Muskoka. They put forward just excellent speeches about Bill 127.

As I think about this bill and the statement, the Ontario Economic Outlook and Fiscal Review, made back on November 6 by the Honourable James Flaherty, Minister of Finance, I recall almost a filibuster that occurred in this Legislature because it possibly contained too much or was too well done up in a nice package or whatever. They seemed very upset. I would suggest that maybe the reason they were upset was that they thought, in a bit of an economic downturn, maybe there was some really bad news, and since the news wasn't all as bad as they were hoping for, they were all upset and tried to filibuster its presentation that day. I thought that was kind of unfortunate. I still don't really understand why they were going through that exercise, but they did.

It's almost impossible to begin a debate on this bill that's before us, Bill 127, without mentioning the context in which we find ourselves this fall, a very unique time in history. There's no question that we were all directly or indirectly affected by the tragic events of September 11. I remember being in St Thomas. I was in hearings, part of the extensive consultations our government carries out on various bills. This was on nutrient management, Bill 81, going out after first reading, which is rather unique. We've done this now with five or six bills, but it was certainly not done by other governments. I was going into my hotel room, making some phone calls, when I heard about this and turned it on and actually saw the second plane go into the second tower. At the time, it almost seemed like a film, but obviously it wasn't. It was a real-life drama happening. Everyone here in Ontario and throughout the world continues to be affected by the aftermath of this horrible series of terrorist attacks. It is uncertain when, if ever, the world will recover some semblance of the world we knew pre-September 11.

One of the immediate results of this tragedy was a slowdown of the economy. The opposition will probably jump up and say, "That was happening anyway." Yes, there was a slowdown in the economy generally happening in North America, possibly internationally, but after September 11 there was a very, very significant dip. If you look at the graph of any of the stock exchanges, you'll see a very dramatic dip afterwards, not surprisingly. But most of that dip has recovered and there are a lot of signs that indicate that recovery is going to continue.

The 2001 Ontario budget outlined a plan of tax cuts and spending that provide a solid foundation for growth of the Ontario economy. As I go back through the six and a half, approaching seven years of being in this Legislature, working with two ministers of finance, I think of the exceptional budgets that have been brought into this Legislature establishing this sound economic foundation.

It has become a hallmark. When we took over, the deficit was in excess of \$11 billion. That's \$1,000 for every man, woman and child in this province that we were spending more than we were taking in. It was obvious we couldn't continue in that vein, so the Minister of Finance and the Premier, the cabinet and the caucus made the decision to get back on to a solid economic foundation, similar to what previous PC governments in this province had. These sound fiscal policies will indeed help Ontario in the face of the current global slowdown. A number of significant budget initiatives are included in Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act, 2001.

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The effects of current economic uncertainty are being felt by every citizen of this province. Our government has recognized that an economic slowdown is especially hard on low- and middle-income families with young children. We hear so much from the socialists about the poor and what should or shouldn't be done, but we tend to see little action, few ideas coming forth from the members in the opposition ranks. In particular, nothing was being done when they were government.

We're a government of action, and action is what is going on. As a result, in the 2001 Ontario Economic Outlook and Fiscal Review our government proposed a one-time payment of \$100 right across Ontario to low- and middle-income working families with young children. This measure is included as part of the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, and it's one of the reasons it is important that we support this bill. I know that every member on this side of the House will be supporting this bill and I look forward to similar support on the other side of the House.

As the minister mentioned in his economic statement, we value the hard work and dedication of Ontario's working families. That hasn't been true in the past. What did the governments from 1985 to 1995 do? They taxed and they taxed and they spent and they borrowed. They borrowed on the children's future and they taxed poor working families. But they didn't care. Taxes were so important, and we still hear them. There hasn't been a single member on the other side who has voted in favour of tax cuts. They can see what those tax cuts have been accomplishing for the people of this province and how many working families no longer have to pay provincial income tax but still have to pay the federal Liberal income tax. That's the position that Liberals and socialists seem to have: "Let's just tax 'em, but we'll have a good story."

Our government wanted to provide these people, the working poor, as they're sometimes referred to, or those with low incomes, with some extra help at this point in time, so for this reason we've proposed to provide low- and middle-income working families with a one-time, tax-free—and I stress tax-free—payment of \$100 for each child under the age of seven years.

I'm pleased to say that we've received tremendous support for introducing this particular measure and it

looks like the idea is catching on. The private sector recognizes the need we have identified and is lending a hand. Our compliments to Sears Canada, that is proposing a contribution of \$10 as a separate offering. How that would work is that eligible families would exchange their \$100—that would be their cheque for proof—for \$110 worth of Sears gift certificates, which can then be used in any of the Sears stores right across Ontario, Sears catalogues, or, for that matter, on-line. Other retailers across the province are also encouraged to put their support behind these proposed payments and enhance them.

It's at times like this that it's rather gratifying to see businesses and families and citizens across the province pulling together for the common good. That's quite common as we see national disasters occur, such as earthquakes or the air crashes on September 11—just how people in communities and countries do pull together. In spite of how horrific it was on September 11, it was gratifying to see so many countries pulling together to support the US, particularly Ontario. The federal government was pretty slow off the mark. They did get going in a sort of way; they could have responded one heck of a lot faster, but they did come along slowly.

The one-time payment would provide about 222,000 working families with approximately \$37 million in benefits for up to roughly 367,000 young children under the age of seven. This breaks down that over 80% of the eligible families have net incomes of \$35,000 or less, half of the eligible families have net incomes of \$25,000 or less, and only 3% of the eligible families have net incomes of over \$50,000.

The average payment would be about \$165 per family, and if the legislation is passed promptly—I look forward to that, and I'm sure, with that kind of money going out to support these low-income families, the opposition would want to support it as well—these payments could indeed be sent out by early December. It would be ideal if these payments could be in the hands of families in time for the holiday season, when just a little bit of extra cash would help and in many cases is really needed. Our plan is to give these parents some extra help to do what they do best, and that's care for their children.

I also want to assure everyone that the government is spending responsibly and within fiscal means. As you know, our commitment to cutting personal income taxes since 1995 has resulted in 325,000 lower-income earners no longer paying Ontario personal income taxes. Not so with the feds: they kept right on charging them taxes. The feds go on bragging about the surplus they've ended up with. Maybe we should have a look at just how they ended up with that surplus. It wasn't due to any fiscal policies they came forward with. The only solid, I suppose you might say, fiscal policy was cuts to the provinces, such as in health care. The way their surplus came about was because of the sound economic policies in the province of Ontario. We can see where the \$15 billion more came with our tax cuts. Imagine: here's a federal government that didn't have any tax cuts, and the same economy is going on within the province which is

over a third of Canada. No wonder they have a surplus. They never said thanks to the Honourable Ernie Eves when he was here and designed this, was the architect. That's really how they ended up with their surplus, but would they share that with Ontario, particularly with health care? No, that just isn't the way the federal Liberals work.

The latest cuts to personal income tax, announced in the 2001 Ontario budget, will remove another 75,000 lower-income earners from the tax rolls, allowing them to keep more of their take-home pay. I can assure you that they know better how to spend those dollars than a government spending their money.

As part of the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, we're proposing to advance to October 1, 2001, the personal income tax cuts that were originally planned to take effect on January 1, 2002. Cutting personal income taxes means that all taxpayers have more money in their pockets to use as they see fit and spend, save or invest.

The opposition keeps questioning these tax cuts. They've never supported any of them. Granted, the third party, the NDP, has come forward with the suggestion that maybe we should look at something like the provincial sales tax, but that really, as I understand from economists, wouldn't stimulate the economy the way income tax cuts and corporate tax cuts do. That's what the tax cuts are about, and you can see, from the increase in revenue, that it's really working. The cutting of personal income taxes raises consumer confidence, stimulates the economy and creates jobs as no other government initiative possibly can. Therefore, our proposal to accelerate the personal income tax cuts scheduled for next year would have benefits for Ontario taxpayers and for the Ontario economy.

During the current economic slowdown, these cuts have become even more important than they were before, to stimulate that economy and give confidence. Listening to a program on the economy on CFRB, driving in on Sunday evening, they were talking about what was helping to hold the economy here in Canada, particularly in Ontario, and they made reference to the sound fiscal policies of government here in Ontario. I think that's indeed quite a vote of confidence.

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The Responsible Choices for Growth and Fiscal Responsibility Act, 2001, proposes another way in which we can help those who are hard-working but vulnerable in tough times. To ensure that the one-time payment goes to families that need it the most in a timely fashion, the government proposes that the one-time payment would use the rules and administrative process for the Ontario child care supplement for working families program to define the recipients.

When our government introduced the child care supplement in the 1998 Ontario budget, the government targeted the supplement to those families with the greatest child care needs. To that end, the program provides support to families with children who are at the age

where they're not yet in school for the full day, typically under the age of seven. As a result, the one-time \$100 payment also focuses support on those working families with children under seven.

Families might be identified as potentially eligible through their federal tax returns in the previous year. The one-time payment will be paid to the same person who receives the federal Canada child tax benefit and is primarily responsible for the care and upbringing of the child. Although this person is usually the mother, in this case it could be the father, a grandparent or indeed a guardian.

I want to stress that parents would not have to pay tax on this one-time benefit. The one-time payment would indeed be a tax-free benefit.

Some might wonder why families with earnings from employment under \$5,000 are not included. The answer is simple. These families who receive benefits through Ontario Works and the Ontario disability support program already receive a similar top-up to their cheques to help them with the purchase of winter clothing. They receive this top-up during the month of November each year.

Others might ask why only low- and middle-income working families benefit. We have to remember that all taxpayers have benefited from our government's tax cuts, but in these challenging economic times, low- and middle-income working families with young children are particularly vulnerable.

I would like to assure you that this one-time payment is not coming at the expense of other government priorities like health care and education. Our government continues to make significant investments in these areas. Priority expenditures, including health care and education, are ongoing. The measure we are debating here this evening is strictly a one-time payment.

Our government has a legacy of making sound, responsible choices. As a result of these choices, Ontario is better prepared than ever before to get through a period of economic uncertainty. That's why we can make sure that we can help some of the more vulnerable members of our society so that they can also meet the challenges of an economic slowdown.

With this legislation, the government is making a targeted effort to help low- and middle-income working families with young children. These are the individuals who need the help most at this time.

Once again, we are seeing a demonstration of how the quality of life in this province is directly connected to the economy. Our government is doing everything it can to maintain a high quality of life here in the province of Ontario.

We are intent on sticking to the key principles that have led our province from the economic mess that we inherited upon being first elected back in 1995—and indeed what a mess it was in. From 1985 to 1990, spending doubled. It absolutely doubled. The debt didn't quite double, but it got close to it. Then, from 1990 to 1995, the debt doubled. Even in the good times of the late

1980s, could they balance a budget? No, they couldn't balance a budget. Then we got into the early 1990s, and what were we going to do? We were going to spend our way out of the debt, out of hard times. What a colossal disaster that was. Over a 10-year period we tripled the debt and had a deficit running at over \$11 billion, keeping two sets of books. I have no idea; I can only suspect why they would have been keeping two sets of books. But you add that to the federal debt and you add that to some of the crown corporations' debt and you can see the legacy that we were headed for to leave to our children. I'm just so pleased that our Minister of Finance, the Honourable Ernie Eves, was able to turn that around back in 1995-96-97.

I am referring to continuing with tax cuts, encouraging economic growth, maintaining fiscal responsibility and supporting the most vulnerable. I'm referring to not being afraid of making tough and responsible choices.

In the last 10 minutes or so I would just like to make some references to a few points that are in the economic statement.

Right at the beginning, when the Honourable Jim Flaherty stood up to speak, he said that we're going to maintain and ensure that we do have the third consecutive balanced budget. That's a record of over a century. I think that's something the government can indeed be very proud of. Not only that, but we've heard the opposition complain that the credit ratings haven't improved. The credit ratings were going down very quickly in the early 1990s. At least in the late 1990s they held their own and now, yes, the credit ratings are improving, because they recognize the fiscal responsibility of the present government in the province of Ontario.

One of the disappointing things that did come out in the budget was the change in the growth rate from the prediction in the spring. It had dropped. Now they're expecting 1.1% to 1.3% next year, versus 2.3% to 3.6% that was originally expected. However, they are expecting by the middle of next year that the economy is really going to be rallying, and by 2003 the growth is going to be up to 4.3%.

One of the interesting things I was finding was that we have set aside that reserve of \$1 billion in case hard times came along or something unexpected. This time, this year, it did, and that was September 11. Out of that \$1 billion in reserve that could have been used to pay down debt—and we're already paying down a lot of debt—only \$300 million is needed to keep the books balanced. That still means there's \$700 million left in that reserve.

Over and above that, we started out spending at the rate of a 5.9% increase for health care. That's been increased to 6.9%, moving health care spending in the province of Ontario up to \$23.7 billion, with no help from the feds. That's a total increase of over \$6 billion since we took office back in 1995.

I think it's rather unfortunate that the feds wouldn't pick up. We keep having to carry their share as well as our share. It started out 50-50. That was the agreement back in the late 1960s and the early 1970s with the

Canada Health Act. The feds have been falling behind ever since it was started. Really, what they're behind is about \$7 billion. That's what? About \$600, \$650 for every man, woman and child per year that the feds are not coming through with. Since we took office, it's something like \$2,000 for every family we've increased it, while the federal Liberals have dropped about 10 cents a family in support in health care. But at least the Ontario government is committed to the Canada Health Act. It's unfortunate that the federal government isn't as committed as the province is.

It was interesting that on page 5 of the budget statement it talks about increased revenue since we took office in 1995. It has gone up some \$15 billion. That's moving from roughly \$30 billion in tax revenues in the province to \$45 billion. That's a 50% increase. But the opposition still doesn't understand how tax cuts can stimulate the economy, increase revenue coming in and create jobs. That's really where it's at with this \$15-billion increase. Without that we couldn't have gotten rid of the deficit, and there was no way that we could have increased health care spending by over \$6 billion and also increased the spending in education.

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It's also interesting to note the \$30 million that's being spent on security. Premier Harris was quick off the mark after September 11 to start looking at and initiating security measures and talk about a secure perimeter around North America. He, along with the provincial government, has been leading in security and making people feel a bit comfortable about what was going on. We were really concerned about looking after their security. Security is basically why people in society came together in the first place into small hamlets. They look to a government for security. Again, that was in the budget.

There is also the \$176 million that was going to be pushed into the economy because of accelerating the personal income tax cuts along with the corporate income tax cuts and the capital tax cuts. Accelerating those, bringing them forward, is plugging more dollars into the economy and giving more confidence to the people of Ontario.

There were just a tremendous number of things in this statement that were stimulating and bringing forward the economy. I particularly like the fact that they were adding another \$10 million to stimulate tourism with the "Come Stay With Friends" here in the province of Ontario being advertised to our American cousins, along with promoting pride in Ontario. That \$10 million was being added to a previous \$4 million that was plugged into tourism to stimulate that. All in all, the great budget that we had back in the spring of 2001 established a great economic foundation for the province of Ontario and then along came the financial statement on November 6 that just added to that.

All in all, the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, is the next step. We're intent on continuing to build a better future for everyone

who chooses to live, to work and to make their home here in Ontario. I look forward to a speedy passage of this bill so that those families with young children will receive the child tax credit quickly, certainly before Christmas. I can assure you that everyone on this side of the House will be supporting this bill, and I look to some support for this particular bill from members on the other side of the House.

**The Acting Speaker:** Debate? Comments and questions?

**Mr Caplan:** There is certainly a great deal to comment on, but I think I'm going to quote the November 6 comments of Finance Minister Flaherty when he introduced the economic statement and this bill at the same time. He said, "Our economic climate in Ontario is changing. Now private sector forecasters, on average, expect Ontario's economy to grow only 1.1% this year and 1.3% next year. This is a substantial change from the 2.3% they predicted for this year and the 3.6% they predicted for next year at the time of our spring budget." It's very interesting that none of the members who spoke would talk about Minister Flaherty's predictions.

Even back a couple of weeks before November 6, Minister Flaherty was adamantly denying that there was a significant change in Ontario's economic position. In demands from my leader, Dalton McGuinty, for an economic statement to reflect the reality, Minister Flaherty adamantly denied there were any changes, and now we know what the reality is. We saw that just this week with Management Board Chair Dave Tsubouchi sounding the alarm of a \$5-billion deficit looming for Ontario. Talk about economic mismanagement. Frankly, I think that Ernie Eves and Jim Flaherty have squandered Ontario's prosperity. Speaking of which, where is Jim Flaherty? Wouldn't he want to come and speak to his own bill? I find that very surprising.

**The Acting Speaker:** Order. That's going across a line we don't go across.

**Mr Caplan:** I also want to mention that the minister who spoke first to this bill indicated in her testimony at the Walkerton inquiry to Justice O'Connor that it is because of the budgetary policies of this government that Walkerton occurred and that every member who passed those budgets was culpable. That's why I don't support tax cuts and never will.

**The Acting Speaker:** The Chair recognizes the member for Halton.

**Mr Ted Chudleigh (Halton):** My point of order, Speaker, was that Mr Flaherty didn't speak tonight, and the member is supposed to be speaking about the people who did speak. If I had made that point of order while he was speaking, perhaps it would have had some effect. Thank you very much.

**The Acting Speaker:** I'd like to explain that I am desperately reluctant to take points of order during a two-minute speech. Besides, I had already brought to the attention of the member for Don Valley East the problem that I think there was.

Comments and questions?

**Mr David Christopherson (Hamilton West):** Speaker, you are very right in ruling that the member from Don Valley East is totally out of order in saying the finance minister isn't here, even though he should be. You're absolutely right in doing that.

The members from Northumberland and from Parry Sound-Muskoka spoke with such pride about the \$100. In fact, the member from Parry Sound-Muskoka talked about the fact that, as far as he's concerned—I jotted it down because I couldn't believe he actually said it—"The \$100 is generating considerable excitement." Let me say this member must have a very, very low threshold for excitement, because there is not a lot of excitement out there about the \$100. I grant you, it will help. It certainly can't hurt. But I think the members go way over the line when they use descriptions like that and when they talk about the fact that this is for particularly hard-hit families and individuals; it would be families in this case.

Fair enough. But if you're going to use that description, how can you then say that people who are on social assistance, people who receive the Ontarians with disabilities support program or people who have been laid off aren't hard-hit, the same as everybody else? Twenty-nine thousand people have recently been laid off. They're not eligible. Now, I know the member from Northumberland is going to stand in his place and talk about the money they already give for winter clothing—not that they give; it was a program in place when they got there and it was one of the few things that survived.

But the fact of the matter is, everybody had their fiscal plans in place before September 11, not just the group you mentioned, and the people who are in the deepest levels of poverty aren't going to get the money. It doesn't wash. It's a cover, to cover up all the corporate gifts you're handing out in this bill.

**The Acting Speaker:** Perhaps I'm not clear. When you refer to somebody as not being here—I said to the member from Don Valley East that it was a line we don't cross. I'd like to suggest to everyone else that you desist, or I'll name you.

Comments and questions?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Speaker, I will certainly try to comply.

I'd like to congratulate my colleague the MPP for Northumberland. I listened intently as he spoke about Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act. I thought he raised a number of issues—the \$100 being one of them, as I saw my colleague perk up, but many other issues that I think are important to the growth and the strength of Ontario's economy.

I have to say that we all recognize that the strength of Ontario today is in major part due to the Common Sense Revolution that has happened since 1995. It's also a reflection of the world economy, which I grant. But also our strong manufacturing environment has left us in fairly good stead, although these times are definitely a time of concern and worry for the people of Ontario and

for the government as we try to set our course for the ensuing year and years to come.

Let me say that the member raises a number of issues. I find it kind of amazing or amusing to listen to the opposition members who pick specific points out about things they disagree with in this. Fundamentally, I think we all agree that the economy of the province needs to be strong, it needs to continue to grow, and that this government and this member who has spoken before are making responsible choices to ensure the province is on a good footing for this year and the years to come.

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**The Acting Speaker:** Comments and questions? The Chair recognizes the member for Timiskaming.

**Mr David Ramsay (Timiskaming-Cochrane):** I would like to make a few comments on the speech that Mr Excitement gave tonight. I feel that as he covered some aspects of the bill, there's one particular aspect that I would like to bring up that I think was a—

**Ms Marilyn Mushinski (Scarborough Centre):** On a point of order, Mr Speaker: I believe that you have brought to the attention of this House the desire for some decorum in this place by referring to members by their riding name—but certainly not the name that the member across the way called my good friend Mr Galt.

**The Acting Speaker:** I would suggest that we refer to others by their riding names, which reminds me that I left the "Cochrane" off of your riding of Timiskaming-Cochrane.

The Chair recognizes the member for Timiskaming-Cochrane.

**Mr Ramsay:** Thank you, Mr Speaker.

To the member for Northumberland, what he omitted in his speech was one of the 26 acts that are amended in this omnibus bill. It refers to the Ontario Northland Transportation Commission, which, as I know the member knows full well, provides transportation and telecommunications services throughout northeastern Ontario. There's just a very small amendment there that includes two clauses that allow that commission now, its board of directors, to cancel any of its services that it now provides to the public of the northeast, and at the same time to dispose of any assets that were involved with any of those cancelled services.

I don't know why this little contrivance is there. One could suspect that the government wants to close down, as previously announced, the Ontario Northland Transportation Commission, and instead of doing it by government edict they have now enabled the board of directors of that commission to do it themselves, I would imagine under order. I think that's shameful.

**The Acting Speaker:** The member for Northumberland has two minutes to respond.

**Mr Galt:** I would first like to thank the member for Huron-Bruce for her extremely insightful comments and understanding. She summed up the speech in a minute and a half so well and really understood the presentation I was putting forth. I'm disappointed in the members from Don Valley East, Hamilton West and Timiskaming-

Cochrane that they didn't quite understand the speech to the same degree and to the same level.

The member for Don Valley East seems all mixed up in his comments about which is this year and which is next year. Yes, there is some lag in dollars coming in from taxes and, yes, there are going to be some difficulties next year, but there's a difference between this fiscal year—that's 2001-02—versus 2002-03 that the Honourable David Tsubouchi has been referring to. Don't mix them up. I know it's typical Liberal talk, but they are separated out.

Now that you understand that, we'll move on and talk a bit about the comments from the member for Hamilton West. He talked about excitement. I would expect that for some of those families, when you get down around a total income of \$20,000 or \$25,000 and you get \$100 coming in, there's going to be some excitement there, getting \$100 to use, and you go to Sears and get another \$10 added on. I expect there is some excitement. He talked about poverty. I'll tell you where poverty was going. This whole country was going to be into poverty at the rate we were going in the early 1990s, from 1990 to 1995, with the tax increases that you kept putting on. The total revenue kept going down on an annual basis every time you increased those taxes. That was where poverty was coming from.

**The Acting Speaker:** The member's time has expired. Further debate.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'll be sharing my time, Mr Speaker, with the member from Renfrew-Nipissing-Pembroke.

I'm pleased to join the debate on Bill 127. I'd just say to ourselves and the public that this is an enormously thick bill. We've begun debate on it tonight, and I gather the government has a gun to our heads now and is saying, "We couldn't get it in earlier than this, but we need this thing passed right away." It amends 25 different acts, some quite substantially. I'll focus my remarks on two aspects of it, the corporate tax and the 407.

On the corporate tax, this is an enormously important debate. Our economy now depends on exports to the US. We're the most export-oriented jurisdiction now in the world, according to the government. Just 10 years ago, exports were the equivalent of perhaps 28% of our gross domestic product; today they're 55%. Nobody relies on exports like we do, and 95% is to the US. In our opinion, the major reason Ontario has seen good economic growth over the last six years is because of the growth of exports. If you ask any economist—in fact, I challenge us to ask any economist—what the major reason for Ontario's growth has been, they would say exports. Ontario has been able to compete aggressively in the US, and successfully, led heavily by our auto sector but also our technology sector and virtually every sector of our economy. There are very few Ontario businesses now that have not seen their percentage of business done in the US substantially increase.

My point is that we have to think clearly about how we are going to compete in that environment for the next

20 or 30 years. There's no turning back the clock. That is now our future. For the last five or six years, we've been very successful. That's why I'm very concerned about the policy decision on the corporate tax issue. Frankly, I think we need a very substantial debate here.

The policy now is to move corporate taxes in Ontario to a rate 25% below the US. If you look in your budget documents, you will now find that the references are all to the US; all the comparisons on our corporate tax rates and whatnot are to states in the US. We've now decided on a policy in Ontario that corporate taxes will be 25% lower than the US. In fact, this is the latest copy, which the government sends out, of *Doing Business in Ontario*. It's the selling document. It says, "Come to Ontario because"—and this is the big chart here—"corporate taxes are going to be 25% lower than they are in the US states." We've made a decision that we're going to compete on the basis of lower corporate taxes.

That's a decision we can make. It's a very expensive decision, because corporate taxes 25% lower than our neighbours mean, for the province of Ontario alone, lost revenue of at least \$2.5 billion per year. We've decided that we are going to compete on the basis of 25% lower corporate taxes, and the cost is \$2.5 billion. If we want to sustain the quality of life we have here, in my opinion we'll have to find other ways to make that up. Recognize that corporate taxes are the third-most significant part of Ontario's revenue and the second-most important part of the federal revenue.

Now that we've embarked on this route, that's how we're going to compete. My problem with that is that I think a far better long-term strategy for Ontario would be to say, "Come to Ontario" or "Stay in Ontario and grow in Ontario because we will guarantee you competitive corporate taxes, but we will make certain that you have a quality workforce here, a quality health care system here, a quality community environment here, a quality environment."

#### 2000

It is a contradiction in some respects. I've got the glossy copy of this. If you look at the selling document the government of Ontario uses on why you should come to Ontario, it says, among other things, "US manufacturers pay, on average, more than \$3,100 per employee for the kind of health care coverage provided by Canada's publicly supported system, whereas Ontario employers pay about \$540." In other words, there's a \$2,500-per-employee cost advantage on health coverage by locating in Ontario. Well, there's no magic to why that is. It is because we have decided to have a health care system here that we basically fund publicly through taxation. But here we are, saying we're going to have corporate taxes 25% lower than the US, and I ask us all, how do we therefore sustain a health care program that offers the substantial cost advantage to the US?

It goes on in the selling document to point out—and they use, in this case, Canada—that Canada spends "7% of its gross domestic product on education." This is "more than the United States, Japan, Germany, France,

Italy or the United Kingdom.” So it’s “Come to Ontario because we in Ontario choose to invest in education.” It goes on to say, “Exceptional workforce: Ontario’s workers are well educated” and well trained. “Sixty per cent of the 1998 workforce attended university/college,” 20% graduated from university, “30% earned diplomas/certificates.” It points out that tuition is substantially lower in Ontario than it is in jurisdictions in the US.

Up front, one of the key paragraphs is, “Ontario is one of North America’s most peaceful and secure communities, and our remarkable health and education systems are publicly financed and open to everyone.”

So I say to all of us that this is an enormously important policy decision, an enormously expensive one, and, in my opinion, long-term bad policy. Companies that choose to come to Ontario because they are going to have corporate taxes 25% lower—Louisiana’s going to beat us, Alabama’s going to beat us, Arkansas will beat us. If that’s why they come here, they’ll leave here to find another jurisdiction with lower taxes. In my opinion, if we want them to come here and we want those in Ontario to grow here and stay here and expand, it is because we guarantee a competitive tax rate but we maintain the things that have made Ontario successful. That is our unique health care system. There’s no magic that one of the key reasons General Motors and Ford and DaimlerChrysler have chosen Ontario is clearly the quality of our workforce, but we offer them an enormous cost advantage, heavily in the health area.

I realize we’re dealing in an environment where the government is saying tax cuts solve all problems. I just urge us to examine this policy issue. The government says in this document here—our corporate tax rate for manufacturing right now, by the way, is 5.3 percentage points less than the average US rate. The average US rate is 40% taxation. We’re already at 35% before these cuts. The government has committed to lower tax rates further so that by 2005 we’ll be almost 10 percentage points lower than the average US rate. The average US rate’s 40%; we’re going to 30%. If you believe that is going to be a successful long-term strategy, then we’re making a huge mistake, and I would urge the government to reconsider this.

I would also add that while the government has often talked about the fact that the federal government should provide more support for Ontario, in the budget the provincial government is telling the federal government to cut corporate taxes by another \$7 billion to get us down to a rate that’s at 23% instead of 30%. That would cost the federal government \$7 billion in forgone revenue.

When we’re having this debate about corporate taxes and priorities, I’d say to us, is this really a way we want to compete long-term: “Come to Ontario because corporate taxes are 25% lower”? It will mean we will not have the resources to provide the things that the government has told companies is the reason they should be here: health care, education, the environment.

We are moving forward to not only implement it but actually to speed up implementation. I want to talk about the problems that presents. It was just two weeks and one day ago now that the Minister of Finance came in with his fiscal and economic statement, essentially saying that yes, we’ve got some challenges, but they’re relatively manageable. Then we found this week that the government has acknowledged or has said to the public—and I’m using their terms—“We now have a \$5-billion gap to close.” The government told the public that the situation has worsened dramatically just in the past few weeks. That’s why I say that we are tonight, in the full knowledge that we have, I gather, a substantial problem to maintain education and health care, proceeding to implement a program that will, as it’s implemented, result in a minimum \$2.2-billion loss of revenue in Ontario. And by the way, we’re also proceeding with a plan to support private schools to the tune of \$500 million.

So I say to the public, here’s what we’re being asked to do, that in these difficult times, Ontario now believes that corporate taxes can be 25% lower than our competitors, but we’ve still got a \$5-billion gap. Just two days ago, we said to the government, “Will you at least agree to not proceed with these tax cuts and the private school plan? At least agree to that as we look at the problems that are unfolding.”

And we do have significant problems. It’s hard to imagine, but it was just six months ago that the government presented the budget. The headline there was, “Faster growth in second half of 2001.” That’s right now. The government said next year, 2002, the economy is going to go up to 3.5% real growth. Well, the government has now acknowledged that growth in Ontario may be 1% this year and 1% next year. The economists have told us that Ontario’s going to have the worst growth rate of all the provinces this year and next year.

The employment numbers came out for the month of October very recently. What we’ve seen is that Ontario, just since the budget, has lost 29,000 jobs, and the rest of Canada has gained 15,000 jobs. It now looks like the unemployment rate, which was supposed to get down to 5.5%, is going to be well over 6% and heading up, according to the government’s economic outlook, over the next two years. It hasn’t even come close—look at these: in 1988-89, the unemployment rate in Ontario was 5.1%—and yet we’ve lost 29,000 jobs in the last six months. The government, by the way, in the budget predicted that over the calendar year we would see 150,000 jobs in Ontario. It now looks like, as of the end of October, we actually are going to have fewer than 150,000 jobs this year.

#### 2010

The government said we have a \$5-billion gap to close. I was interested to note, when the minister put out his economic outlook, that since the Premier took over, the debt of the province, according to the government document here, has gone up \$20 billion. It’s gone up 22% or 23%, \$20 billion, since the Premier became Premier. The credit rating of the province used to be

AAA. It's two points below that and has not been fixed, has not gone up. As a matter of fact, the member from Northumberland actually made a good point. He said that the federal government chose one route: they balanced their budget. They chose to balance their budget before they cut taxes, a different approach from Ontario. Ontario cut taxes and borrowed \$10 billion to pay for the tax cut. Furthermore, just so Ontarians understand this—

**Mr Garry J. Guzzo (Ottawa West-Nepean):** To pay for your mistakes.

**Mr Phillips:** Mr Guzzo may not like to hear this, but I just want Ontarians to understand this: we are paying \$100,000 an hour in interest—every hour, 24 hours a day, seven days a week, 365 days a year—just to pay for the money Harris borrowed to pay for the tax cuts. That's exactly what it is. So I say to the people of Ontario—

*Interjection.*

**The Acting Speaker:** Member for Ottawa West-Nepean, come to order.

**Mr Phillips:** I appreciate that, Mr Speaker.

**Mr Guzzo:** I apologize.

**Mr Phillips:** Thank you, Mr Speaker.

But I go back. The Premier has added to the province of Ontario \$20 billion of debt. He borrowed \$10 billion to pay for the tax cuts. That's \$100,000 an hour, 24 hours a day, of increased interest just to pay for the money that was borrowed for the tax cut.

I say to Ontarians, we have a significant problem, but the government is prepared to proceed with the plan that will have our corporate taxes 25% below the US. They're prepared, by the way, to spend \$500 million of brand new public money on private schools when we have a \$5-billion problem on our hands, but they're going to proceed with that. Those things are going ahead, but there's no assurance at all that we are going to be able to maintain our education system, our health system, our environment and our community services.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** Scaremongering.

**Mr Phillips:** I'm interested in the comment over there, "scaremongering." It was Mr Tsubouchi who said we've got a \$5-billion problem on our hands. He scared me. It came out from the government that, "We've got a huge gap. This is serious. We can't wait." If one of the opposition parties had said that, you would have accused us of scaremongering, but that was the government's position. What made it worse was that two weeks earlier everything was fine, and then suddenly we've got a \$5-billion problem.

I say, first, this is an extremely important policy debate. What is going to be our tax policy in the future? How are we going to be able to compete? If we choose corporate taxes, 25% lower, forgone revenue of \$2.5 billion, how do we want to make it up? Do we want to have weaker public services than our competitors? If we want to have competitive public services, where do we make it up?

*Interjection.*

**Mr Phillips:** Mr Guzzo says, "Charge user fees." That may be the solution, but you'd better come clean with the public. You may want to come clean with the public. How are we going to make it up? I'd like the government, as part of this package, to say how you are going to do it.

There is no magic in this. If you want the public services that we've had, as I think Ontarians want to continue to do, we now collectively must raise that money to fund it. If corporations are going to have a significantly better deal in Ontario in corporate taxes, where is it going to be? There are very few choices for us for \$2.5 billion—very few. Is it going to be in sales tax? You're getting down to relatively few options.

The reason my leader has been so adamant on this over the last few weeks—as Dalton McGuinty has said, surely our priority has to be competitive taxes. I say to the business community—and I think they understand this. Frankly, according to the government's own documents, we're already quite competitive. For manufacturing in Ontario, corporate taxes are five percentage points—not 5%—lower than they are in the US, and this is designed to take them to 10 percentage points lower. I think a far better policy would have been the other—I find it unfortunate that there's so little time to debate such a comprehensive bill.

I wanted to talk briefly about the 407 because this bill gives the authority to set up the new Highway 407 east corporation. I just want to say to the public that the users of the 407 have been ripped off big-time. The reason for that is that the government of Ontario sold it for 99 years to this company when they essentially promised here they would not do that, that they would sell it for perhaps 30 years. They said they were going to control tolls, and the bill we're debating tonight has no controls on the tolls. They said the owner would be responsible for managing the 407. But if you don't pay your toll under the bill we're dealing with tonight, your licence can be denied.

By the way, in the bill we're dealing with tonight, it appears to us from the briefing we had that the 407 owner has access to driver licence information, that they pay the owner at least \$5 million a year and, according to the briefing we had, it looks like that information can be shared with US toll roads, that they can provide Ontario drivers' names and addresses to US toll roads to allow them to send collections to Ontario companies.

But the big thing on the 407 is that this deal closed and the cheque was delivered May 5, 1999, for the 407. Guess what day the election was called: May 5, 1999. This was essentially a \$1.6-billion pre-election slush fund. The Harris government did fine on it for pre-election, the 407 owner has done fabulously on it and the users are being hung out to dry. I would just say to the people—the 407 now is extended out to Brock Road—that if you drive on this road and you go 70 kilometres one way and then back again, the tolls you're paying each year are \$3,800—an enormously expensive road.

Why is that? It is because the government sold the 407 users down the road.

I personally have been trying now for almost two years to get access to something called the "tolling agreement." It's essential that we see that. If you look at a prospectus for the 407 corporation when they're raising substantial money, it says, "In order to understand this prospectus properly, you must read the tolling agreement." That's the key, because the government promised when they sold it that they would control tolls, and already in the first 15 months the 407 corporation took the tolls up three times.

2020

When they took over the 407, there was a premium rate for peak time. You know they charge more for peak time, and peak time when they bought the road was 5:30 am to 9:30 am and 4 pm to 7 pm, five days a week. What do you think the peak time is now with that high rate? It's from 6 in the morning to 11 at night, seven days a week. You're now paying the peak rate from 6 in the morning till 11 at night, seven days a week. They took tolls up, as I say, three times, in many cases up 57%. The government, when they sold it, said that tolls—if I can find the quote here—could not increase by more than 2% plus inflation each year. It's already gone up dramatically more than that.

The second part of this bill, and I raise it because I know people who work in downtown Toronto and are buying homes some distance away, Oshawa and whatnot, in anticipation of the 407 coming out there—they'll be able to drive 407 and that will be great for them—without realizing they're going to be paying \$4,000 or \$5,000 a year in tolls.

Tonight, as you get into the bill, you'll find there's no tolling agreement. We were told tonight there are no controls on tolls, that they're developing the tolling agreement as we speak. We said, "Will the public get to see that?" and the answer is no.

As I said, I take the second part of this bill, the 407 part, just to point out that the government often uses this as a great example of public-private sector partnership. It was a great example of a partnership between the 407 corporation and Premier Harris, but they forgot the key people they were supposed to represent, and they are the users. Tonight, we're approving a bill that exacerbates the problem. As I said before, there's no controls on tolls, and we continue to have in there the province of Ontario as the bill collector. If you don't pay your tolls, no licence renewal. I'll add that it's temporarily suspended, but only temporarily.

This is the big part of the deal, and in my opinion there's significant infringement on the privacy of people's information on licensing. But most importantly, for a future generation, for 99 years—I guess it's now 97 years—the people who will use the 407 will be paying enormous tolls. As I said before, if you're just going to drive 70 kilometres one way a day and then back again, it's \$3,800 right now and it's bound to go up.

I would point out that this bill is another example where we're dealing with significant amendments to 25 different acts. As I said earlier, we essentially have a gun to our heads, because if we don't approve it, the people won't get their \$100 for Christmas so there is clearly a hostage within the bill. There's another example.

There are two things I've touched on tonight. The corporate tax is a huge policy decision, a discussion we should have. How are we as a province and a country going to maintain the quality of life in an environment where we now are clearly in most competition with neighbouring US states and where we've decided, I think for bad policy reasons, that a key reason you should invest in Ontario is tax is 25% lower; not competitive taxes, education, environment, health care, similar to what's built this province over the last many years?

It's unfortunate we do not have more time to be debating this bill. I'm afraid it will be rushed through before Christmas, but there are substantial issues at stake within this bill.

**The Acting Speaker:** Further debate?

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):**

I'm pleased to join the debate tonight and to follow along my esteemed colleague from Scarborough who has, as always, spoken directly to a number of important issues that he knows perhaps better than most of us in the Legislature, and I want to pick up on a couple of the items he talked about.

But in my remarks tonight, I want to make a couple of preliminary observations because, as my friend from Scarborough makes plain, Bill 127 is the budget bill that gives effect to most, if not all, of the major measures contained in the finance minister's budget of now some four or five months ago.

I want to say about this budgetary policy this: it is now a budgetary policy that is a perfect orphan and, in that respect, we find ourselves in a very dangerous environment. The Minister of Finance will later this week declare himself a candidate for the leadership of the government party, or that is what we are told, and that's entirely understandable. We have a Premier who, after long years of public service, is going to leave the treasury bench and perhaps retire from public life. We have a convention that will choose the new Premier three or four months from now. We have principals in the government understandably out soliciting interest and support for the right to be the next Premier of Ontario, and we will have in that contest apparently the current Minister of Finance and his predecessor of some years, our old friend Mr Eves, the former member from Parry Sound-Muskoka.

I raise these issues because all of this is coming at a time when the economic and budgetary climate of Ontario is changing and changing significantly. I don't want to use valuable time tonight to highlight what has been said by other members, but I have in my hand a recent report from the Royal Bank Financial Group which looks at the economic forecasts over the next few quarters. What does it tell us, this Royal Bank economic forecast of just a few weeks ago? It says a couple of

things that are very important: firstly, that Ontario is going from average annual growth rates of between 5% and 5.5%—very robust and very good growth rates, the kind of growth rate that any finance minister, any government would really like to have. We're going to go from real growth of about 5.5% in fiscal 1999 to apparently real growth of someplace around 1% this year and perhaps a little less than that in the first part of the next fiscal year.

Mr Speaker, you or the people watching tonight might ask, what is the importance of that? Remember simply one point: for every one point of decline in growth, the provincial treasury will lose something like \$625 million of revenue. For the fiscal year upcoming, the Minister of Finance, whomever he or she will be—and I suspect it will be neither Mr Flaherty or Mr Eves, but time will tell—the revenue loss to the province in the upcoming fiscal year 2002-03 is almost certainly going to be something in the neighbourhood of \$2 billion to \$3 billion. That will come at a time when there will be more pressure on the safety net expenditures, because the Royal Bank tells us, as do others, that our unemployment rate is going to trend upwards, so there is going to be a very real squeeze. It has to be said, regardless of which of us is in government, we are going to face that problem.

I'm happy to see tonight the new member for Muskoka here who spoke quite admirably in the debate earlier this evening. I well remember 20 years ago his wonderfully genial father was faced with extremely tough choices in this place. We had an election a little earlier than we expected in 1981 because the very wily Mr Davis with his forecasters saw some bad signs coming, and the election came in the winter of 1981 and we found out very shortly after why. Ontario went into a sharp, short economic downturn and Frank S. Miller, BEng, MPP for Muskoka, was forced to come in here with a couple of budgets that I'm sure he didn't want to bring. They contained some difficult measures on both the revenue and the expenditure side. Bill Davis and Hughie Segal apparently got together and forced poor Frank to buy that crazy oil company with money we didn't have for purposes—

**Mr Beaubien:** What was the name of that company, by the way?

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**Mr Conway:** I think it was called Suncor. It was a very tough time.

Friends opposite rightly point out some of the mistakes and the excesses of the Peterson government. Without a doubt, I can say much more confessionally than most, we made some mistakes obviously.

There are a couple of things I want to point out, and I say this in the most ecumenical spirit I can muster. There was a balanced budget in the late 1980s, and we expected in the election year of 1990 to produce a second one. It didn't happen for reasons that some people such as my friend from Hamilton know best of all. One of the reasons it didn't happen, and I say this advisedly, is that the economy went deeply and quickly into the tank in

late 1989-90. There was a hemorrhage on the revenue side, and particularly in the manufacturing sector there was very sharp employment loss.

Did policies of our government contribute to that? I'm not, obviously, the person to answer that. Perhaps they did. All I know is that very quickly the situation changed. Quite frankly, unlike Mr Davis and Mr Miller in the mid-1980s, we, as a government, had encountered unexpectedly good times, particularly 1986 through 1989, and we saw our revenues rise sharply. It is absolutely true that our spending went up very significantly and we taxed, and we probably taxed more than we should have.

I want to make a couple of points, however. I was just looking at the latest data from the Ministry of Finance, from the Ontario Finances just published September 2001. What do I see? Looking at a five-year period, it is interesting, according to the latest data out of the Ontario Ministry of Finance, that in the period between 1997 and the second quarter of fiscal 2001-02, revenues to the Ontario government have increased by \$11.6 billion, or 22%. That's a dramatic increase, and good for us. Revenues have gone in a relatively short five-year period from \$52.5 billion in fiscal 1997 to \$64.1 billion this year, a 22% increase in provincial government revenue. Program spending in that five-year period has increased from \$43 billion to \$52 billion. Program spending has increased by slightly more than 16%.

My friend Phillips said, and I think fairly so, that one of the decisions the current government has made is that in that period of time, when revenues have increased by that amount, we have added \$20 billion to the provincial debt. How much did you borrow to fund those tax cuts? I leave that to others. But I simply observe this: we've added \$20 billion to the provincial debt.

I want to say as well that in that five-year period it would be totally unreasonable for me or anybody else over here to say that you were going to take the deficit down from where it was to zero without adding some increased burden to public debt in Ontario. I simply make the point that in that \$20 billion of additional public debt there is, make no mistake about it, deferred taxation. It will take some time to see how your strategy plays out, and you may get additional sunshine. But I repeat for the House tonight and for the audience that in the last five years, the Harris government revenues have increased from \$52 billion to \$64 billion, 22%, and program spending in the period 1997 to 2001 has increased from \$45 billion to \$52 billion, or 16%.

I raise that as background for the debate tonight because clearly if the Royal Bank and others—and there are very able people over at the provincial Ministry of Finance; they will have much of the same data. They're going to be looking at a very challenging environment. There is no way. Revenues are not going to grow next year by 5% or 6% or 7%. They are probably going to be very static, and some are going to decline. How the Ontario consumer feels and behaves will be absolutely critical to some of this.

Expenditures are going to become increasingly difficult to bring down, because as the economy weakens, there is pressure to spend, particularly to support the unemployed and others who are going to, through no fault of their own, face the requirement for additional help from family, from friends and, yes, from government. That is the environment in which we now find ourselves. Serious, thoughtful, fair-minded people in this Legislature are going to have to deal with it sensibly.

I accept the advice that says we can't go back to some of the bad old ways, and we all engaged in it. I have a question, and I keep forgetting to phone those smart people over at finance. I think in the budget speech that the Minister of Finance read to us in early May, he said this is the first time in 100 years that Ontario has had three successive balanced budgets. In tribute to the memories and the public legacies of Leslie Frost and John Robarts, I'd really like to know what kind of accounting legerdemain has been used to arrive at that conclusion. Leave the Liberals and the New Democrats out of it; am I being asked to believe that in the 1950s and 1960s Charlie MacNaughton, Leslie Frost and Jimmy Allan didn't produce balanced budgets? Maybe they didn't. I really want to see the data for that, and I will do that on my own at another time.

The environment that we face today was, I think, fairly presented a moment ago. So where does that lead us in terms of choice and consequence? I'm a 50-year-old person who is in a very good income bracket, and I suppose if I was being perfectly selfish, I should be out there leading the charge for this neo-conservative fiscal policy that seems to have seized certain members of the current treasury bench. If I were just simply to vote in my own personal interests, be totally selfish and self-centred, I guess the provisions contained in these measures would excite me to vote something other than might appear to be the case. But both as a citizen and as an elected member, I think I have a broader obligation.

I'm not here to trivialize some of the choices and consequences. Again, I don't know how many of my colleagues read Bruce Little on Monday this week in the *Globe and Mail*, his *Amazing Facts* column, "Mr Martin's Fat Surpluses Thing of the Past," a very good thumbnail survey of what finance departments across Canada and across most of the United States are now facing.

I was watching CNN the other night and they were doing a survey of state governments. I'll tell you, there were many in the Great Lakes basin—I remember the governor of Maryland talking about his problems and what they are going to have to do, because essentially they are facing many of the same difficulties. California has been an absolute hemorrhage. We're not going to be that bad, I don't think.

So what are our choices? It seems to me that we can do as the current Minister of Finance wants to do and first and foremost, against the backdrop of a very challenging and changed economic and fiscal environment, continue to cut corporate tax rates—as my friend Phillips

has observed, not to bring them down to Indiana, Illinois, New York and Pennsylvania, but on average to take them 25% below most, if not all, American states. I think that is unfair, unnecessary and irresponsible.

Fairness is going to be an important test because, make no mistake about it, Dave Tsubouchi is right. I think he probably overdid it and he might have overdone it for reasons that have to do with the current contest involving the leadership of his party. But he is right in this sense: there is no doubt in my mind that over the next 18 months, the Ontario government is going to have to look at, I suspect, expenditure cuts in the order of \$1 billion to \$3 billion, and it's going to hurt. Our friend from Muskoka will remember, I'm sure, conversations with his father that will remind us that you can't do that and not hurt people. I think it was the 1982 budget that Frank brought in here that had a couple of very, very nasty little tax increases, and I'm sure he and Mr Davis didn't want to advance them. But when you get into this kind of a box, that's what you're going to have to do.

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So we're going to be going out into the town square and we're going to be asking people, regular people, to give up some things. To do that, and Ontarians are fair-minded people, they're going to expect that the leadership of the government and the leadership of the Legislature is going to be able to stand in that town square and say, "We're asking everybody to make a sacrifice in some appropriate and corresponding way."

I want a good tax environment for corporations; of course I do. But what's fair and reasonable, particularly in light of the environment in which we now find ourselves? What are the choices? To continue tax cutting? If we do that in this environment, it is only going to make more difficult, more numerous, more painful and more lasting the program and spending cuts you're going to have to make. Those cuts are going to involve older people and young people. Fifty per cent of our program spending is on health and education. You can't cut there without affecting a lot of people we all know only too well and don't want to have angry at us or with us.

One of the other options, of course, is that you can have a public auction of valuable public assets. You can start the great barbecue. I am reminded of being in London, England, a few years ago and there was a fascinating sight: Harold Macmillan, the Earl of Stockton, long-time leader of the Conservative Party of the United Kingdom, then in the House of Lords, actually denouncing the then Conservative Prime Minister, Mrs Thatcher, for what he felt was an unseemly sale of valuable public assets. Macmillan's famous phrase was, "I was not brought up in an England as a Conservative to believe that it was necessary to sell the family silverware."

Mr Phillips talked earlier about that 407 deal. He knows it a lot better than I. But let's remember what happened there. On the eve of an election, we sold the asset, we took into revenue \$1.6 billion and we gave to an organization, a company, a multinational conglomerate

erate, as I recall, the taxing power for nearly 100 years on what is going to be a very important, very busy highway through the heartland and the gut of central Canada. I suspect my friend Phillips is quite right that that deal will only become more vivid and more significant with each passing decade.

What about other assets? Let me tell you, 407 is a junior league compared to Ontario Hydro. Time will not permit tonight, but part VII of Bill 127 invites us to look at amendments to the Electricity Act. I simply want to say here tonight that I am very concerned about what's happening with our Hydro policy. It's a tough file. There are no easy answers. But it is the most valuable set of assets this province owns. It's a \$10-billion annual business and, you bet you, it is going to attract a lot of interest from a lot of quarters.

The Ontario government, again I say in an ecumenical sense, has very important corporate interests, particularly if you're thinking about a revenue need, a taxation policy, to say nothing about some other issues I could get into. Who's looking after the public interest there? The average person living in Nepean or the Ottawa Valley or Bracebridge or Petrolia or Don Valley East is going to want to know, and hopes and prays, that there's a government and a Legislature that's saying, "Hold on here. This is about electricity. This is about one of the most vital economic and social interests we've got. We know there are problems. For God's sake, don't sell us out as consumers for some short-term Ontario government or private sector corporate interest." You are going to have to be Solomon to get through this without having your pocket picked or your integrity impugned.

The front page of today's Toronto Star: "I took \$90,000 in kickbacks." One story about one court case about one person who couldn't resist falling off the wagon when you get into a big auction of public assets. This is at the Ontario Realty Corp. One of my rhetorical questions tonight is, is there any more of this going on? I hope not. But I can tell you that when you are starting to contemplate a budgetary policy that, when forced into a corner, makes you start looking at selling off really valuable assets, you might just be tempted to do the wrong or improper thing.

The press this week is full of stories about whither Ontario Hydro One. Really what you've got there, quite frankly, is a bunch of investment bankers sniping at one another and at the government about who's going to get buttermilk and who might be left sucking the hind teat. Well, there's a lot more that is probably going on there that we haven't even heard of.

**Mr Christopherson:** It's getting exciting.

**Hon Mrs Johns:** Louder.

**Mr Conway:** Maybe it should be louder because—you know what?—we probably won't be here.

It's not that many months ago that people were talking about the Ontario Realty Corp, and now we've got one case. It may be the only case. It may be a very isolated case. I read that today and, boy, I thought to myself, and any of you who have been in government will know,

when you start looking at selling assets—and when you're in politics, what do the politicians need? They always need money. They need it for their public business, the public treasury, and they need it for their private party funds.

Go and read T.D. Regehr's *Beauharnois*, published by the U of T Press not too many years ago, to find out what can happen when you start playing around with hydro assets. I'm not here to defend the old Hydro monopoly and am fairly critical of it, but I'll tell you, one of the things the public Hydro prevented was some of the really outrageous scandals of an earlier time when we were out in the marketplace with these kinds of generating and other related assets.

I want to say tonight that in this environment, when you don't want to or feel you can't raise taxes, and you can only go so far with program spending cuts, one of the places you're going to look is selling off assets. I say again here tonight that it is absolutely unacceptable to me that we, as a Legislature, are so disconnected from perhaps one of the most important public policy decisions this or any government will take in this decade or the next, namely, what kind of an electricity policy we are going to have—no policy I can think of packs more economic and social punch than that one.

By the way, it's a \$10-billion annual business. When you've got that kind of asset and that kind of activity, get ready because a lot of people, not with the public interest as their first concern, are going to be swimming to your boat.

What are some of the other choices Bill 127 is also going to invite and force upon government? This legislation tonight, in parts X and XI, talks about the Gasoline Tax Act and the Fuel Tax Act. I want to make a point there, as someone from rural eastern Ontario. According to the 2001 spring budget, this year gasoline tax revenues are going up to \$2.3 billion. Fuel tax revenues are going to be at \$655 million. That's nearly \$3 billion this year in gasoline and fuel tax revenue.

According to this same budget, the Ministry of Transportation highway improvement and capital plan is at \$673 million, down about 20% from where it was 18 months ago. I will be very surprised—and I hope I am and I hope I'm wrong—if within the next few weeks we do not have the Minister of Finance or the Minister of Transportation telling us in this Legislature, or more likely out in the hinterland, in Listowel and in Eganville and in Hamilton and in New Liskeard, "We are going to have to, in the name of restraint, cut back on our capital program for provincial highways."

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I want to say to the Minister of Finance that I will be very unhappy, as will my constituents in the Ottawa Valley, if we are told that the improvements promised to Highway 17 are going to be delayed in the name of restraint because we don't have sufficient monies in the Ontario government's highway improvement plan but on the other hand we are going to proceed with a multi-year, multi-billion dollar corporate tax relief program. That's

simply unfair to people, not just in my part of rural Ontario but the millions of people, hard-working people, who will this year pay nearly \$3 billion in gasoline and fuel taxes, taxes and tax revenues that are going up. And I'm not even counting the nearly \$1 billion in motor-vehicle-related fees and other revenues. My point here is that there will be very real pressure on the government to look at the capital plan, whether it's for highways or hospitals or schools or water and sewage treatment facilities, and say, "We've got to slow down and pull back on those expenditures because our revenues are not as strong as we had expected." Again, it's a matter of choice and consequence measured against fairness.

I see in the Kitchener Record this week quite a remarkable statement from our friend the member from Bruce-Grey. Monday's Kitchener Record has the member from Bruce-Grey quite rightly upset about the fact that scores of small municipalities in southwestern Ontario, like my part of southeastern Ontario, are increasingly agitated and fed up with waiting for months to hear whether or not Ontario government funds are going to be made available to help them to meet the new standards imposed by the province to meet new water and pollution requirements. What does our friend Murdoch say? Monday's Kitchener Record, quoting Bill Murdoch: "If I were the reeve of my own township I'd tell the province to go to hell." He is speaking as a true democrat.

*Laughter.*

**Mr Conway:** Well, we laugh. I don't think we should laugh. There are hundreds of small municipalities—and we all know them—out there who would say to Murdoch, "Absolutely. You're right on." Are we going to go there and pull back? Apparently we've already held back.

And we're weeks away from the first O'Connor report on Walkerton. We're asking small municipalities in my area and communities like Chalk River, Barry's Bay, Killaloe, Eganville, Cobden and Beachburg to meet these new water testing and pollution control requirements, towns of 500 or 5,000, and they're going to have to spend hundreds of thousands or millions of dollars. The little village of Killaloe asked me the other day, "What are you going to do to help us meet our requirement? We've got a couple of hundred people who are ratepayers to our little water authority. How are we going to do this?" Without provincial government help, through the capital support program of the Ministry of the Environment, they haven't a hope in hell. Bill Murdoch is right: without the money, tell the province to go to hell.

It's not going to be easy. We're spending, on the capital account, fewer dollars now than we have in a long time. According to the budget figures, our entire capital program, in terms of provincial government monies being committed, is less than half of what it was in the election year 1999. Some of that I understand.

**Mr Guzzo:** How's our tax revenue? Check the tax revenue.

**Mr Conway:** Well, my point is a very simple one. We face tough choices, and the people I represent don't expect miracles. They're getting a little tired, I guess, of

people on both sides of the aisle, perhaps me as well, just playing games. They're not silly people. They know times are different. They want responsible government, based on fairness and reality. I just think talking about a multi-billion dollar corporate tax cut, faced with the economic and fiscal climate that people like the Royal Bank are projecting over the next 15 to 18 months, is unfair and irresponsible. That's why I cannot support Bill 127 and the policy that undergirds it.

**The Acting Speaker:** Comments and questions?

**Mr Christopherson:** Again, excellent presentations by my colleagues from Scarborough-Agincourt and Renfrew-Nipissing-Pembroke. There are a couple of points I would like to underscore that I think they very eloquently made.

The last speaker, the member for Renfrew-Nipissing-Pembroke, talked about the fact that, for all your claim to be the world's greatest fiscal managers and all the evil inherent in the debt, the debt has gone up by some \$20 billion under your government. He makes the point that whether it's that \$20 billion or any other part of the debt, you claim it's deferred taxes and that's evil and can't happen. Yet that's exactly what you did. You increased the debt. There is more debt now than when you took power six years ago, and to use your argument, somebody down the road has to pay for that.

Had you not decided to take billions of dollars from the pockets of hard-working individuals and give that to the corporations and your wealthy friends, who are contributing to your leadership campaigns faster than they can be asked for the money—because, let's remember, you changed the election laws and how elections are financed so large corporations can give more money than they could before you were in power. I mean, this all hangs together.

**Hon Mrs Johns:** It's a conspiracy.

**Mr Christopherson:** No, I say to the minister, it's not a conspiracy. If it were that, it would probably be easier to deal with. It's very deliberate, very well thought out, and it's meant to do nothing more than make sure you stay in power and continue to take care of your friends at the expense of everybody else. That's why it's so shameful, because it's so bloody blatant.

**Mr Guzzo:** I too want to make comment with regard to the comments of the member for Scarborough-Agincourt. I'm always fascinated when I hear him start talking again, after a three-year hiatus, about jobs. We listened to him complain and laugh at a project that would create 800,000 new jobs in this province by tax cuts. Three years after it was well on its way, he stopped talking about jobs and started complaining about other things.

But I want you to know one thing. We have had some difficulty in meeting our obligations. We are paying three times the interest on a debt that tripled between 1985 and 1995. It had been tripled, and therefore the debt interest today is three times the amount.

Interesting, too, are the comments from my friend from Renfrew-Nipissing-Pembroke. He made some very valid points, and I commend him for it, with regard to the

financial statements between, as he chooses, 1997 and today. His figures are accurate. I've listened to nothing from the other side but the complaints about the Harris cuts, the Harris cuts. He accurately outlines how we as a government overspent in that period, and I plead guilty. But let me make one thing plain. When the member from Renfrew is offering his comments with regard to the financial statistics, he doesn't mention the comparative figures with regard to taxes, corporate taxes and income taxes, which have gone from \$30 billion to \$45 billion, a 50% increase. Why? Because of the tax cuts of this government. If those other provinces had done the same, they would have experienced the same growth, because the value of the Canadian dollar is the same in BC as it is here.

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**Mr Caplan:** I certainly want to congratulate the members for Scarborough-Agincourt and Renfrew-Nipissing-Pembroke. I don't think you will find two more studious, hard-working and eloquent speakers in this Legislature. Unlike what I've heard from members opposite, they actually talked about some of the measures contained in Bill 127.

I wanted to touch on one that has not been covered yet, and that is part VI, entitled "Education Act." It says in section 65(1.2), "A regulation made under this section is, if it so provides, effective with reference to a period before it is filed." What that means, outside of the legalese, is that the Minister of Finance in the province of Ontario will set education tax rates, and not only will he be able to set them currently, but he will be able to retroactively set tax rates for local homeowners and local businesses. My, oh my. If there is a scandal, it is the fact that the Minister of Finance, without any kind of transparency, without any kind of debate, without any kind of legislation, is setting municipal tax rates retroactively.

I don't understand why there is not a holler in the land from municipal officials, from local hard-working taxpayers and from businesses for this blatant taxation without representation, this sneaky method of trying to pump up the revenue in the provincial treasury. I tell you, the education portion of municipal taxes is roughly 60%. Watch out, hard-working taxpayers in cities and towns across this province, because this Minister of Finance is going to siphon it.

**Mr Tony Martin (Sault Ste Marie):** I have sat and listened for an hour now. As I listened, it became more and more obvious to me that we have yet another in the pattern of approaches by this government to everything fiscal and financial. One the one hand, you spend public money to deliver all kinds of goodies to corporations and wealthy Ontarians, who will in the end support the government in their re-election so they can stay in power. There is no doubt about that. That spending has driven the debt of this province up yet further from the situation they inherited in 1995. There is no denying that. It's in the figures, in the budget. Everybody can see it. It's as clear as anything.

On the other hand, they nearly always, in delivering a financial statement, pick out a couple of victims to whack. In this instance, it's a group of very poor and vulnerable and at-risk people. They've decided—I don't know, I guess it's Christmas and the Minister of Finance was in a good mood or whatever, because he obviously didn't talk to the rest of his caucus about this—to give \$100 to working families who are living in poverty, for children at Christmastime, and I think that's good. But he left out a whole group of very vulnerable and at-risk children in this province who need this money at Christmas just as much, if he's going to be giving it away, because he has taken it away from them since 1995 in big gobs.

The other group he whacked is again the north. He has put in this bill a provision that goes mostly unnoticed, that will tear apart an economic development vehicle that the Bill Davis government put in place to support economic development and the economy of northern Ontario: the Ontario Northland Railway, a vehicle that has served that Highway 11 corridor very well and will be gone after this.

**The Acting Speaker:** The member from Renfrew has two minutes to respond.

**Mr Conway:** Just a couple of comments to my friend Judge Guzzo. The member makes some very good points. About the revenue side, the corporate stuff, the member is absolutely right. I haven't got the data in front of me. I'd love to see, for example, the capital gains tax revenue increases to the federal and provincial governments. If you bought Nortel at \$10 and sold it at \$100, if you bought JDS at \$10 and sold it at \$200, let me tell you, did the provincial and federal treasuries share in that capital gain. If you look back over the last four or five years, those equity markets roared. There were absolutely tremendous gains, and perhaps Mr Martin and Mr Eves deserve all the credit in the world. But do you know what? The tide that rolls in sometimes rolls out. I'm going to be interested in some of those capital gains tax yields, those corporate tax yields over the next year and a half. I hope I'm wrong. What always gets the politicians in government is that they don't see—we didn't—the collapse in revenues coming, and that's what gets you, because you've got fixed spending up here and it's bloody hard to bring it down.

On spending, I want to say to my friend from Ottawa West and to his good friend from Petrolia, I hear some of these caterwauling oppositionists saying, "Oh, the spending," and the Minister of Health gets up and he makes the comment about, "We're spending more money." Do you know what? The Minister of Health is right. Let me be devilish. Is he spending more money? You betcha. You look at those hospital restructuring costs in Ottawa, Sudbury, Pembroke, Sarnia and a lot of other places, and they are stratospheric. At the end of the day, hospital and municipal restructuring is going to cost billions more dollars than those smart people, including some good friends of mine, predicted to Her Majesty's government a few years ago. It is going to be that kind of spending, married to sharp revenue declines, that is going to make the next

finance minister for Ontario grow very grey or bald quickly.

**Mr Christopherson:** I appreciate the opportunity to join in debate this evening. I'd like to just pick up, if I may, on where I left off in the two-minute response to my Liberal colleague's speech this evening, and that is speaking to the issue of debt and deficit and who has the better track record and who really cares and who can really manage things.

I want to remind the members of the government benches that the biggest increase in the national deficit in the world's biggest, strongest economy, that of the United States of America, was under Republican President Ronald Reagan. That was the biggest—and I just heard a "Hear, hear," from one the Tories walking out. See, mention one of their icons. But what they can't explain with any satisfaction is how come one of their icons ended up leaving the United States with the largest deficit—in fact, I believe he quadrupled it in the time he was President.

Brian Mulroney—dare I mention that name, at the risk of having something thrown at me in this province?—the biggest increase in the deficit nationally was during his time.

Now, to be fair, which the government members rarely are, during those times—

*Interjection.*

**Mr Christopherson:** Don't ask me to name names, Minister—they ran into some economic difficulties, not unlike every other government, depending on the cycle of business and when they got elected. Believe me, we know all about that, having watched the Liberal boom of the late 1980s, followed by the deepest recession, in the early 1990s, since the Depression in the 1930s and then followed by the biggest economic boom in history, driven by the US economy, bracketing our time in office. I understand and I am probably more sensitive to that factor of governing than many others. Nonetheless, the point is that those rates of increase in deficits and rates of increase in debts reached historical levels under perceived right-wing, fiscally prudent leaders.

What is also true—the government doesn't like to talk about this much—is that the first government in Canada in the modern economic era to balance their budget was an NDP government in Saskatchewan. When Tommy Douglas was Premier—

*Interjection.*

**Mr Christopherson:** "Good old Tommy," I hear one of my colleagues across the way say. Well he's sainted now. I don't know what you would say if you were a politician sitting in the Saskatchewan Legislature in the 1950s when they brought in the first universal health care. It would be very interesting to think about where the member who just said "good old Tommy" would be politically were he in that time period when the introduction of any kind of universal health care was perceived to be the big roar of communism. Believe me, that was the message. It was a red scare through and through. "The Communists are coming"—"the

Bolsheviks" was actually the term being used. "The Bolsheviks are coming. They have a beachhead in Saskatchewan, and the evidence of it is their communistic health care system."

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I believe Tommy was recently the first inductee into—I wish I had the proper name, but there's a new, for lack of a better term, hall of fame for those involved in the medical community, health care and medicine. Either the first or one of the first to go in was Tommy Douglas, who was called every imaginable name in the book when he brought in universal health care.

But what's interesting and why I raise it in the context of the debate around Bill 127, the reason I raise it tonight, is because there was one lesson that Tommy taught that I think it is fair to say to my colleague from Sault Ste Marie maybe we didn't learn well enough. That was that Tommy waited until I believe it was the 15th year of his 16 years as Premier before he introduced universal health care.

Why? Because he didn't believe in it? No, of course not. Because he didn't want to do it? No, of course not. His life was saved only because when he was a young child, a wealthy individual took interest in him and forked out the money so that he could have a proper operation. Without that, he probably would have died. That was the personal experience that drove Tommy Douglas to implement it. But why did it take 15 out of his 16 years as Premier? Because he said that one of the things he wasn't going to see happen was that he would introduce it under the then-CCF government—the predecessor to the NDP—only to see it blown away by right-wing governments should they be elected after his.

So he made the argument that one of the things about it, in addition to being well thought out, well planned and a true benefit to the citizens of his province, was that it could be affordable and that it would be sustainable. As long as that fiscal sustainability was there and it was a well-thought-out program and it delivered to the citizens a benefit in their quality of life, he believed there was a good chance regardless of the resistance. Remember the times and what was going on. In spite of that kind of resistance, he believed that not only could he plant the seed, but that the roots would grow so deep that no one could blow it away.

Not only did that prove to be prophetic, but within a few more short years, again with the assistance of the CCF and the NDP, in a national government in a minority situation—a key part of this, but nonetheless it was the Tommy Douglas example in Saskatchewan that caused that to bring about universal health care in Canada and one of the things that defines our entire nation. Tommy Douglas brought that in. He did it in a fiscally responsible way. If there was a lesson there that we didn't learn—and I acknowledge it and admit it up front—it was that in a lot of things we did, we didn't prepare the ground properly, because they didn't hold. I can tell you that Tommy faced a lot of heat from the left

wing of the party to bring it in. He refused, and he was so right in that approach.

Before I leave this subject, let me just say one more thing about it. I still have government backbenchers, and frontbenchers—it will probably happen tonight. It happens almost every time I raise this. They say, “No, that’s not true. It didn’t happen.” I’m never quite sure how they can arrive at that, but that’s where they end up. In 1995, in the election, under the deficit reduction plan that we had brought forward, based on much more modest growth than we actually saw, the budget in Ontario would have been balanced sooner under an NDP government than the ensuing Harris government. Why? Because we didn’t take billions of dollars out of the revenue stream and give it to those who need it least. We didn’t do that.

*Interjection.*

**Mr Christopherson:** Well, I hear government members saying, “You wouldn’t have had the economic activity.” Now we’re back to the whole argument about whether you caused the boom or whether you were lucky to be following on the coattails of a strong US economy. I think it’s pretty clear: you can’t create that kind of boom here and you can’t prevent a recession when it turns. Much of what happens in Canada on a macro level is out of our control, but the point is nonetheless accurate and factual that the budget would have been balanced sooner under our government, a re-elected NDP, than the Harris government.

**Mr Gerry Martiniuk (Cambridge):** Oh.

**Mr Christopherson:** You see, the member groans, but it’s true. The enormity of that thought is more than he can handle, but it’s the truth. Further to that, we wouldn’t have had to cut a dime from the programs that you savaged, because of the billions of dollars—from which most of the people in my community, my hometown of Hamilton, didn’t see a major benefit; but, boy, we’re sure feeling the sting of the pain with the pressure on our hospital system, school closures on the public side and on the Catholic side, both of them closing inner-city schools, doing enormous damage to local communities—none of that would be necessary.

We could have had a balanced budget so much sooner without the \$20 billion that you put forward, that you’ve added to the debt. Then, quite frankly, we could have had a debate about what we do with the surplus revenue. Do we then put that toward the debt? Do we put it toward more investment in communities? Do we put it toward tax cuts? Have that debate, but have the debate after you’ve balanced the budget. You did it the other way around and that, to respond to something one of the earlier members talked about, is why the credit rating remained the same for the first term of your government. I believe for all of your term of government your credit rating was exactly the same one that you inherited from the NDP. To listen to you folks, they should have practically given us money for free because you’re just so smart and brilliant and people would be honoured to lend you their money so that you could handle it. It didn’t

budge. Why? Because the economists and the credit raters looked at the situation and said, “Fine, but you’d be a lot stronger economically if you didn’t do the tax cuts until after.”

So the credit rating didn’t budge. It did not budge. We went through all that pain and it was supposed to prevent us from being in recession, and here we are today in the midst of a horrible recession. Whether that’s technically true or not in terms of two quarters of negative growth remains to be seen, but there are very few people arguing that we aren’t indeed in recessionary times and recessionary territory. Your answer to all that we face now is more tax cuts. In fact, it’s the only thing you’ve talked about: accelerating your corporate tax cuts at that.

Let’s just review a couple of things that got us to this point, just to put things in context. In February of this year, the brand new, freshly minted finance minister, James Flaherty, rolled into the pre-budget hearings. I was there as our finance critic as he rolled in, with all the cameras going, the reporters jotting down his every utterance—and what did he have to say to us? One of the things he said to our committee was this—this is February of this year—“I want to take this opportunity to emphasize that this slower rate of growth is not tantamount to a recession.” He also said, “Our economic and fiscal plan has worked. It has laid the foundation for a stronger Ontario that can withstand the impacts of any slowdown in the US economy and that will continue moving us forward.”

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Is that a fact? Well, then, how did we get to the point where the Chair of Management Board says that you’re about to cut up to \$5 billion in public services and we’re now in a major recession? We’ve lost 29,000 jobs since May and the pink slips continue to roll out. Once again, they speak one set of words and reality exists over here. He was so wrong it’s hard to believe he’s still the finance minister.

What is also interesting is that at the same set of hearings somebody came in representing the Ontario Federation of Labour. Immediately, when you say that, of course, all of the government benches turn off: “click.” “What could the Ontario Federation of Labour possibly have to say to me that I would need to listen to?” Especially when you’ve got somebody with the foresight of Jim Flaherty as the finance minister, why would you need to listen to anybody, let alone anybody from labour? Boy, oh boy, Jimbo knows how to call them, doesn’t he? Yes, sir.

The Ontario Federation of Labour took a little different slant. Same meeting, same time, same economic environment, you heard what Jim Flaherty had to say. Here’s what the Ontario Federation of Labour said: “As everybody in Ontario knows, with the seeming exception of the Minister of Finance and his ministry, the auto sector in Ontario has been hit with the worst blows in over 25 years, with the real likelihood of more bad news to come. The signs are all there that a significant downturn is already underway. There is every reason to

assume that we are once again entering a period of recession and to plan for that contingency.”

That was the Ontario Federation of Labour saying, “Warning signs are up, folks, there’s a likely recession coming. We’d better get ready for it.” Instead, we were fed the pabulum—and that’s the best-case scenario—of a Tory finance minister saying that his economic and fiscal plan has worked and it’s laid the foundation for a stronger Ontario that can withstand the impacts of any slowdown in the US economy and that will keep us moving forward. Oh, yes, moving forward all right—smack dab into \$5 billion in cuts.

You might ask, did the OFL get lucky? Was it a fluke? My friend Terry Cooke will appreciate that.

Same hearings, same environment, somebody else rolls in, economist Hugh Mackenzie—

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** The other Hugh Mackenzie.

**Mr Christopherson:** Yes, the other Hugh Mackenzie, you’re right. He would want me to emphasize that too, as much as the other Hugh MacKenzie, so yes, you’re right, we want to be clear. But economist Hugh Mackenzie, who is part of the Canadian Centre for Policy Alternatives, Ontario alternative budget working group—

**Mr Chudleigh:** What is his other job?

**Mr Christopherson:** He’s with the steelworkers. I’m glad you asked that, because I was debating whether to throw that in or not. I didn’t want it to seem like I was trying to pad how brilliant some people in the labour movement are, but you helped me out very much, member from Halton, and I appreciate your help there. Yes, he’s a steelworker, so now I’m talking about two trade unionists coming in and talking about the economy, which as far as you’re concerned is totally oxymoronic—correct?—because they’re from labour. What could they possibly know about anything, unlike the brilliance that exists on the deep back benches of the Tory government?

Mr Mackenzie said at that meeting—

*Interjections.*

**Mr Christopherson:** I told you they wouldn’t listen, Speaker. As soon as you say somebody’s from labour, they just tune out, so I will tell you what they said, because I know you would care and want to know what was said at that meeting.

What Mr Mackenzie said was this: “The Harris government’s fiscal recklessness and manipulation has left Ontario with literally no flexibility to deal with the consequences of a modest economic slowdown and facing fiscal disaster if the worst happens and we face a true recession.”

Given where we are right now, I wish either one of those two individuals had been the finance minister, rather than Jim Flaherty, who handed us a piece of pabulum that bears absolutely no resemblance to the reality that we face here on November 21, 2001, a mere number of months after Jim Flaherty came in and gave us his pronounced wisdom. And this is the government we’re supposed to trust in Bill 127 to handle the future of our

economy? Without the artificial benefit of a booming US economy, their whole plan, theory and ideology collapses like a house of cards.

However, as my friend from Sault Ste points out as often as he can in this place, there are tens and hundreds of thousands of people for whom this is not an academic debate as it is for us here tonight. They got left behind. If things are going to be rough for the next little while, wouldn’t you love to be one of the ones who grabbed a nice significant piece of some of the billions of dollars of tax giveaways that this government provided? If that’s the case, then you’re just sitting around, nice and comfortable, talking about—I mean, what, Speaker? I don’t even understand that world. I admit, I don’t even know what it’s like to be in a world where you would sit down and talk with somebody else and commiserate about the fact that your income for the next few years is only going to be \$3.5 million instead of the \$8 million you’ve been used to.

I admit I have no idea what that world is like, but more importantly, neither do the vast majority of Ontarians. They’re the ones who got left out of this deal because we don’t have enough money to run the hospitals the way they need to be run, we don’t have enough money for the CCACs to provide home care for our parents and our grandparents, we don’t have enough money in our communities and in our local school boards to keep open the inner schools that give some young children at least half a hope of having a decent life in the future. We don’t have enough money to do all those things. But then you’re not worried about them, are you? You never were worried about them.

I see that for this evening, Speaker, I have 38 minutes left in my leadoff, but only two minutes on the clock. Let me put on the record at least once more the brilliance of the fiscal management of the Harris Tory government. Not only was it Jim Flaherty who looked into his crystal ball and saw a fantasy future; on April 20 last year the Premier himself said to this House: “Let me say this: As long as the voters of Ontario don’t make the same mistake they made in 1985 and 1990 and elect big-spending, wasteful governments, there will not be a recession in this province.”

I look over on the other side of the House and unfortunately I still see a massive number of Tories. I do not see an NDP government, I do not see a Liberal government; I see continued Tory government. According to Premier Harris, there shouldn’t be and can’t be a recession as long as that situation exists. I look around. There’s a majority Tory government and we’re in the midst of a serious recession in which hundreds of thousands of people are going to be hurt and your answer to all of that is to accelerate more corporate tax cuts. Hallelujah.

**The Acting Speaker:** It being 9:30, this House stands adjourned until 10 am tomorrow.

*The House adjourned at 2130.*

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**Jeudi 22 novembre 2001**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 22 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 22 novembre 2001

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LA SOCIÉTÉ DE PROTECTION DES ANIMAUX DE L'ONTARIO

Mrs Munro moved first reading of the following bill:

Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 129, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

**The Acting Speaker (Mr Michael A. Brown):** The member for York North has 10 minutes for her presentation.

**Mrs Julia Munro (York North):** Imagine for a moment the picture of a cute puppy or kitten. It may be fluffy and cuddly or awkward and unsteady, but it tugs at your heartstrings. You overlook asking any questions. You dismiss unsavoury conditions. Maybe it is alone and forlorn. It needs you. Your heart rules. You have just contributed to a puppy or kitten mill. You have just filled the pocket of that puppy or kitten mill operator, who doesn't care what motivated you—your sympathy for that forlorn puppy or kitten, your concern for rescuing that animal. You gave money to secure that operator's ability to stay in business.

That description is the background for the bill I have introduced and we are debating today.

Today it is estimated that there are about 400 puppy and kitten mills operating in Ontario. They provide a supply to meet a demand, as I described in the scenario a moment ago.

This bill, if passed, would provide the following:

- (1) A clear definition of what constitutes a puppy and/or a kitten mill.
- (2) Making the business of a puppy or kitten mill a provincial offence.
- (3) Applying substantial penalties to those convicted of the said offence.

(4) Assisting the process through the use of tele-warrants where applicable.

(5) Giving the authority to the judicial process to impose a lifetime ban on convicted offenders.

The issue we are looking at today in looking at the particular parts of the bill depends very much on the question of what constitutes a puppy or kitten mill. Usually one of these has many breeds of dogs and cats, with puppies and kittens available year-round in order to capitalize on popular, easy-to-sell breeds. However, and I think this is the most important distinction, the number of cats or dogs, even the number of breeds, is not the defining criterion; it is the lack of care and the ongoing neglect. That is the most serious issue and the cornerstone of this bill.

In this bill we are debating today I have defined a puppy or kitten mill as a place where standards of care that are outlined in this bill are not met: providing the animal with adequate food and water; providing the animal with adequate medical attention when the animal is sick or injured or in pain or suffering; providing the animal with adequate protection from the elements; not confining the animal in a way that would provide danger to it. These are the keys to this bill.

One of the things that has certainly surfaced in the last while is the fact that there are these places around the province where animals are kept in inadequate conditions, and it has certainly been brought to the public's attention that this is inappropriate and should be something that carries with it a provincial offence status. That's what this bill purports to do.

I think it's very important to understand that often the work that's done in establishing whether this is a puppy or kitten mill is based on the issue of neglect, of long-term lack of adequate facilities or care for these animals.

As I described in the scenario at the beginning, very often people don't make adequate decisions or adequate investigation into where their puppy or kitten has come from, because we all recognize how vulnerable we are emotionally to seeing an animal that needs us. But it's incumbent upon everyone to make sure that they have asked questions, that they have satisfied themselves, because when those conditions are overlooked or ignored, when people don't ask those questions, they are contributing to this problem. That is why in this piece of legislation the question of long-term neglect, the question of inadequacy for animals, is the key.

I've talked to a number of people, veterinarians and dog breeders and the Ontario Society for the Prevention of Cruelty to Animals, and they all agree that it is this

long-term neglect that is the critical issue that must be dealt with. They all agree that it is those kinds of conditions that contribute to long-term problems for puppy or kitten purchasers. It is the fact that the nutrition of the animals has been neglected; it's the lack of veterinary care that will then contribute to further long-term illness; it is the inadequate housing that will expose animals to the increasing risk of skeletal development problems; and it's the condition of overcrowding that will certainly potentially endanger the life of the animal. It is skimping on the best-management practices that will mean that the animals are living in conditions of parasites, of various debilitating diseases and conditions. It's the kind of thing that means that when they are rescued, they may or may not be able to make that transition into a home.

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But the most important thing, I think, for all of us to keep in mind is the fact that it is a situation where we, as potential purchasers, must make some kind of decision here, not based on the emotional, not based on the spur of the moment, not based on the notion of rescuing this animal from this situation, because the effect of all of that is nothing more than keeping these operations in business.

So it is the intent of this legislation, then, to give the Ontario Society for the Prevention of Cruelty to Animals a very clear-cut definition which allows them to look at these issues of inadequacy and be able to establish once and for all that this is a provincial offence, that it carries with it a very significant punishment. It certainly allows the judiciary to impose a lifetime ban. But it sends a clear message that we are on the side of protection. We are on the side of making sure that purchasers of puppies and kittens are going to be protected from the possibilities of this kind of long-term, frankly, financial investment of an animal that has had a very poor or inadequate beginning; whose heritage, if you like, whose breeding, represents a lack of concern and commitment; who is there just to appeal to that emotional, on-the-spot situation.

This bill seeks to provide protection for the animals and the purchaser.

**The Acting Speaker:** Further debate?

**Mr Mike Colle (Eglinton-Lawrence):** I want to say I'm happy that the member for York North has taken some of the proposals from my bill that I introduced in September, where I called for much tougher measures to ban puppy mills. I commend her for taking the interest in the follow-up to my work over the last four or five months in basically shutting down what I consider a criminal practice.

There are 400 of these criminal operations operating throughout the province of Ontario, and this provincial government has refused to act. So I hope this bill is taken in the context that it is a good first, tiny step, but there has to be action by the provincial government in either passing my bill and not blocking my bill, or doing some serious amendments to the OSPCA Act, which is woefully weak.

The Ontario SPCA Act doesn't even allow SPCA officers—the Society for the Prevention of Cruelty to

Animals—to inspect these operations. They have to get a search warrant, which is most disturbing.

One group of criminals, as I call them, operating north of Toronto have been operating since 1965, the infamous Misener puppy mill operators. Since 1965, they've been abusing animals under the nose of this government and nothing has been done. All they get is slaps on the wrist and they continue to operate in Fenelon Falls, north of Toronto. That's why we need some serious, tough measures.

I commend her for doing a couple of things in this bill, but it doesn't do a couple of essential things. First of all, we need a provincial registry. Right now, if you want to be a kennel operator or breeder in this province, you require no provincial licence; you don't have to be registered. Anybody can claim to be a kennel operator or can claim to be a breeder. We need the province to issue a licence if you want to be in charge, in care, of animals. This is not in this bill.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** Like the gun registry.

**Mr Colle:** Secondly, do you know, Mr Speaker, that over 90% of the pets sold in pet stores across this province come from these disgusting puppy mills? There's nothing in this bill to stop that practice. In my Bill 100, I ask that those pet stores that sell pets from puppy mills also be fined and shut down. This is going on in plazas across this province. We need also to get provincial legislation to close those pet stores down that do this.

We also need to give the SPCA powers to inspect and also make it an offence if you obstruct one of these humane society officers from entering the premise, and to make sure that they're given co-operation. Those are essential if we're going to be tough with these criminal abusers of companion animals, which is going on systematically across this province. Not only does it abuse these helpless, defenceless animals; it's taking advantage of people who unknowingly go to pet stores or go to these puppy mills and buy these helpless, defenceless pets. We have to protect people too who don't realize they've bought animals from these disgusting criminal operators.

So you have to get much tougher. I've had a campaign going across the province. I've had thousands of people, heartfelt letters, petitions that say, "We want tough laws." Even the SPCA is very upset. In their press release just the other day, here's what Vicky Earle, the head of the SPCA, says: "The most comprehensive package in the government's hands, however, is the proposed amendments to the Ontario SPCA Act. I don't understand why these have not been introduced, after so much work by us and by government officials have been put into them."

Right on the desk of this government and the Solicitor General is the solution. He has not acted on putting in tough anti-puppy-mill, anti-animal-abuse laws. I hope the people out there realize that this bill will not divert attention from the fact that this government is allowing these puppy mills to operate and the sale of these defenceless animals to take place without the government doing anything.

This bill will not close them down. It will, hopefully, not let the government off the hook. On December 6, I will have my chance to introduce my comprehensive Bill 100. I'm going to have people here from across the province, holding this government accountable to close down these criminal animal abusers which are operating under this government's nose wilfully.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate on the bill that's been introduced by the MPP from York North. The bill in essence amends the Ontario Society for the Prevention of Cruelty to Animals Act. There are a number of key features to the bill that have already been spoken about, but I think the current situation has to be understood in terms of what's trying to be accomplished here.

The federal government, through the Criminal Code, has as an offence to cause or to commit "unnecessary pain, suffering or injury to an animal," convictions which have a high evidentiary burden in terms of the rules that are set—and I think that's what the public has to understand. The rules in the criminal context are set and established by the federal government. The province is responsible for enforcing those rules. The penalty under the criminal section is two years' maximum ban and \$2,000 maximum and/or six months in jail. The federal bill, which is Bill C-15, got its first reading March 14, 2001, where they brought in a lifetime ban as the maximum penalty, five years in jail, maximum, no set fines limit and restitution for rehabilitation costs.

Currently, the Ontario Society for the Prevention of Cruelty to Animals Act has no offence or penalty sections. Inspectors and agents may issue orders—ie, conditions—and remove animals if the orders are not met. They can also lay charges under the Criminal Code in an arrangement with the federal authorities.

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With respect to search and seizure, a justice of the peace may issue a warrant for other than a public place if reasonable grounds exist that an animal is in distress. That's something that I think the member from York North is trying to address in a very constructive way.

Also the inspector may enter premises other than dwelling places without warrant if an animal is observed in immediate distress. So as to the grounds to move in, there have to be reasonable grounds or an observation of an animal being in distress. Last summer we had two situations dealing with puppy mills where action was taken in very difficult situations. The member from York North has indicated it is an industry that has a number of participants. I think the language she used, the numbers that were involved in this type of activity, were that there's an estimation of 400 puppy mills that are in operation in Ontario, and that doesn't address the issue of kitten mills.

What the member is trying to do is to bring in a number of measures. There is the standard of care for cats or dogs that are being bred or kept for sale, and trying to raise those standards, and they should be raised, in terms of trying to provide protection for the animals.

Also there is toughening the offence and penalty sections to bring in the standards of care that are necessary for that industry.

I think those are the measures we have to look at as we move through this exercise, because what we have here is federal jurisdiction in terms of criminal activity that is very clearly set out in terms of the types of conduct that will not be tolerated and the penalties that will be dealt with, and then we also have a provincial aspect in terms of the operation of these—in essence, they're commercial operations and they're operated for profit.

All the member is saying is that we want a standard of care for those operations and that we also want measures in place that will make sure animals are properly looked after. There's going to have to be a regulatory regime to enforce those standards, to make sure that what we're trying to accomplish here happens, so that we can avoid the distressful situations we faced last summer in two locations, and so that can be constructively addressed.

I think the member is attempting to do that and I fully support her efforts in this matter.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate. The Legislature I think acknowledges it's a serious problem. We're dealing with many institutions or entities that significantly abuse animals.

I've always had a dog, one of my best friends, obviously. My wife may be watching, so I've got to be careful here, but my dog Belle is one of my best friends and this provides an enormous sense of companionship and comfort to many people like myself. So I'm very supportive of real measures that will do whatever we possibly can to eliminate the abuse of animals.

The bill today, in my opinion, is a step forward but is nowhere near as comprehensive as it needs to be. My colleague Mr Colle from Eglinton-Lawrence, who has been working on this issue for some considerable period of time, has a far more comprehensive approach and, in my opinion, it is far more likely to be successful. So while I'm supporting the member for York North's bill today, I would hope the government members will not use it as an excuse to not support my colleague from Eglinton-Lawrence's bill, which will be debated here, I gather, on December 6.

He mentioned some of the deficiencies in this bill we see here today. One of them is the lack of a provincial registry where organizations that want to breed puppies will be required to register them. The Conservative member said, "Oh, that sounds like the gun registry. We don't want the state involved in anything like that. There are freedom and rights that people have and the state has no authority being involved in registering these puppy breeding operations."

Some of us may choose to disagree. If an individual wants to be involved in these operations, I for one believe there should be some public scrutiny over it, that we owe it to those animals to ensure there are proper standards that are being met, and my colleague from Eglinton-Lawrence has proposed a way of dealing with that.

Conservative members may say, "This sounds like having to register guns, and we are against that, so we're against registering these puppy breeders," but I would say that if an individual wants to be involved in this operation, then one of the responsibilities should be to register and to meet some standards.

My colleague from Eglinton-Lawrence is also proposing some significant assistance to the SPCA to help them do the terrific job they've done for Ontarians for decades, and this bill doesn't go near far enough in providing assistance to them.

As we rise today, I think most of us agree that this is a significant problem. There are significant abuses going on out there now that none of us want to tolerate and all of us want to solve. The bill today is, as I say, a step forward, but I believe we should be dealing with the far more comprehensive approach that my colleague from Eglinton-Lawrence has proposed. I'll support this bill today, but I look forward to the debate on December 6, when we will come forward with a far more comprehensive approach to dealing with this. If it's seen to be treading on the individual rights of the puppy breeders, so be it, if that's what's required to protect defenceless animals.

**Ms Marilyn Churley (Toronto-Danforth):** I rise in support, at least in principle, of the bill before the House today, the private member's bill by Ms Julia Munro, and I'm pleased to have this bill in the House so we can debate it. I know there's another bill coming a couple of weeks from now. Mr Colle has introduced Bill 100, Puppy Mill Ban and Animal Cruelty Prevention Act, 2001. I want to say at the outset that I do support this bill in principle, but if we pass this bill today, which I'm sure we will, I really don't want this bill's passage to mean that the bill we'll be debating on December 6 will not pass because there will be a recognition that a similar bill passed. Hopefully it will be sent to committee today.

What I would like to see happen is that we send this bill to committee today—and it should go to committee—and that Mr Colle's bill passes on December 6. The possibility of having the two bills dealt with at the same committee I think is a good idea, because Mr Colle's bill is stronger and I think that if we had both the bills being looked at at the same time—I don't think anybody really cares at the end of the day whose name is attached to the bill that passes. Ideally, like a lot of important pieces of legislation, we would prefer it to come from the government, because as everybody in this place knows, a government bill, a whipped bill, has a much better chance of passing than a private member's bill. It is very difficult to get a private member's bill through the House.

I understand that the government has got a very full agenda. I also understand, from having been in government myself, the absolute competing issues that a cabinet and a caucus have to determine as to which bills they're going to sponsor as government bills. I understand that quite frequently a lot of important bills that everybody supports in principle and believes are important to have

passed in this House just don't make it on the legislative agenda; I understand that. Therefore, I think that occasionally some of the private members' bills that we bring before this House, which government members support—the full intention is there that it move forward and go through committee hearings and get passed. It seems to me that with the idea of having both bills come forward to be dealt with at the same time, so whether it's Mr Colle's bill ultimately that rules the day or a hybrid of components from both bills, at the end of the day we might have a strengthened bill.

**1030**

What this bill does is it only amends the existing act to establish standards, but it doesn't ban puppy mills. I think that is really important. I know Mrs Munro has talked about the abuse of animals, the connection between the abuse of animals and violence toward people. That's a very important issue to bring forward because there is overwhelming evidence now that suggests that the two are linked. I know here we are talking specifically about the breeding of these animals for profit, but on the other hand there is also the larger issue and we've seen the horrific results of animal abuse on our TV screens all too frequently. I guess it brings tears to everybody's eyes. They look at some of these dogs that have been dragged by vehicles and beaten and burned and caught on fire and abused in the most horrific ways. That, I know, is to be dealt with under other bills and circumstances, but I can't believe there is a person out there who does not support moving forward on this bill today.

Mrs Munro introduced this bill on November 7, and it does amend the Ontario Society for the Prevention of Cruelty to Animals. What it does is it enables inspectors and agents of the Ontario Society for the Prevention of Cruelty to Animals to obtain telewarrants when it would be impractical to obtain a warrant in person. It establishes standards for the care of cats and dogs by persons who breed cats or dogs for sale, and it does create an offence for the violation of any of these standards. The penalty for the offence is a maximum fine of \$60,000 or a maximum prison term of five years, or both. The court making the conviction may also prohibit the convicted person from engaging or being employed or involved in the breeding of cats or dogs for sale for any period of time, including in the care of an individual, for the remainder of his or her life, and in the case of a corporation, forever. I think that is strong and I applaud that aspect of it. That's a very important part of the bill.

But Mr Colle's bill goes further in that it attempts to eliminate the disgraceful practice of cruel and inhumane animal breeding for commercial sale as pets. Puppy mills, kitten mills and other pet mills are, by definition, operations that breed animals repeatedly for financial gain, and they are kept in substandard conditions. Again, we have seen on our TV screens and in the media horrific descriptions and views of some of those puppy and kitten mills. We've mostly seen the puppy mills, but we know it's happening to other animals as well. What I've been told is that there are about 400 operating in Ontario. I'm

sure some are worse than others. We don't want to see these things left open; we want to crack down and we want to see them shut down.

This particular ban will not ban legitimate and humane animal breeders or kennels. I also think that balance has to be kept. Of course, we don't want to ban and shut down the legitimate ones and the humane animal breeders. What Mr Colle's bill does is strengthen significantly the power of the Ontario Society for the Prevention of Cruelty to Animals to inspect, enforce and shut down illegitimate pet mills.

This bill before us today, as I understand it, will set up a licensing regime to be administered by the OSPCA and all breeders and kennel operators will be required to be licensed to operate in Ontario. The OSPCA will have the power to issue these licences and will set the licence standards, and the OSPCA may revoke the licence at any time if conformity with the act and its regulations are being violated.

I don't know if anybody in this Legislature has had an animal that has suffered cruel treatment, but I have. At one time, I had a dog that I foolishly, in some ways, took on. It had suffered incredibly cruel treatment and eventually I had to have that dog put down. The dog was so neurotic that it could not recover from the treatment it had received. I tried everything I could to give that dog a good home and to treat it humanely and well, but it was so scared and had developed such neurotic habits that you couldn't leave it alone. It would just chew up anything in sight, all of the time. I remember coming home one night and I couldn't open my door to get into my apartment and I couldn't figure out why. The dog had jumped up on a couch with big, big cushions full of foam and had literally ripped them to shreds. My whole hallway was about knee-deep in foam, but that's just the least of what the dog would do. Also, one could not trust the dog. It was frightened of people. Although it wasn't a violent dog, it was so terrified all the time that there was some concern that it might bite people as well.

So these animals that survive this kind of cruelty often are not living happy lives. For some of these animals, they are treated so inhumanely and such awful things happen to them that they cannot recover. The cruelty that's been inflicted upon them continues throughout the rest of their lives.

I just want to say that I believe that all of us in this House would support a ban on those puppy and kitten mills and that is why we have to work together, looking at both of the bills. I'm wondering if Mrs Munro, when she does her summary, can perhaps let us know why she chose not to include that component, the ban of the puppy mills, in her bill. To me, that is the weak component of this bill and a very important aspect of it. You can write into the bill a provision to protect the legitimate and humane animal breeders or kennels. After what we've seen, the evidence that we have of the profit-making desire of some of these people who run these mills, who don't care one iota about the animals—all they want to do is keep them alive so that they can sell

them. The minimum standard is to keep these animals alive so that they can be sent to pet stores, or whatever, and sold.

I would say to Mrs Munro that I'm very pleased that the bill is before us today. I'm pleased that we have this opportunity to debate it.

I do want to have an opportunity, and we will have an opportunity, to debate Mr Colle's bill on December 6. I know that Mr Colle is promoting his bill out there, and he'll be pleased to know that I've received some of those bright red cards that are out there in everybody's ridings. Some of them have come back to me, and even some good New Democrats have sent them back to me, I would say to Mr Colle, and Tories as well. That shows it's an issue that crosses all party lines. People do not care whose bill it is, which party brings it forward. From time to time there are some issues that people out there are so concerned about that they want to see all three parties working well together, in a co-operative way, to ensure that we have the strongest bill possible passed, that will have the most impact and the largest effect on getting those puppy mills and kitten mills shut down.

1040

I would like to say in closing that I know that neither in this bill nor in Mr Colle's bill are we dealing with agricultural and farm animals. I understand why that's not included in this bill, but I've got tell you from a personal point of view, even the animals that we see—chickens, pigs and all kinds of other animals that are raised to be killed so we can eat them the inhumane treatment of some of those animals is beyond the pale as well. I understand why it should not be included and is not included in this particular bill, but when we're talking about the humane treatment of animals, we should be thinking about the humane treatment of all animals.

I will be supporting this bill today. I hope it moves forward to committee, and I hope everybody in the House will agree that Mr Colle's bill should be passed on December 6 and go to committee hearings as well so we can have the best bill available passed in this House.

**Mr Norm Miller (Parry Sound-Muskoka):** I rise in the House today in support of Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act, put forward by Ms Munro, the member from York North. This act is targeted and focused on puppy and kitten mills in Ontario, and I want to take a moment to talk about these illegal operations.

Most of us here today probably have an animal at home that is an integral part of the family. If you don't have a pet at home, you have more than likely been touched in some way or another by someone else's pet. Speaking for myself, we have our pet Labrador retriever, Ollie, and I can tell you that Ollie is certainly an integral part of our family. Each morning, one useful thing he does is he goes out to the end of the driveway and picks up the newspaper. The only problem is, it's the Toronto Star. It's the only paper we can get in our area. Probably the odd time he pees on it as well, I'm sure. But he certainly is an integral part of our family. Most people

will laugh when I say it, but when I arrive home, often I'll greet Ollie first and then the rest of the members of the family.

Can you imagine for one second someone treating an animal in a negative way: beating them, neglecting them or harming them in many ways? I certainly can't. But cruelty toward animals is a big problem, and it's not just a problem at puppy mills in Vaughan or Fenelon Falls. It is a problem all over Ontario, in every riding, even in Parry Sound-Muskoka.

I'd like to take note of the fact that there are many responsible, excellent and caring breeders across this province, and this bill is not targeted at them. Like the breeders of Ollie, our Labrador retriever, John and June Onda in Dunchurch in the northern part of my riding, they do an excellent job. I know when we arrived to get Ollie nine years ago as a small puppy, they helped us pick what we asked for, the friendliest puppy of the bunch. He certainly turned out to be that way and has been a great pet.

It's not targeting those people who are using dogs and animals for hunting, like the Ontario Sporting Dogs Association.

It's less red tape than other proposed bills because we don't want to burden those legitimate operations with undue red tape. We're trying to deal with a problem, not make unnecessary work for legitimate breeders.

Puppy mills treat animals in a deplorable manner. They house animals in cages, one on top of another. They are forced to exist in their own feces and urine. Most carry untreated health problems. Defenceless, voiceless animals are bred quite literally to death. There is absolutely no concern for their health and what genetic deformities might be passed along to their offspring.

This private member's bill today sends a clear message to those who abuse animals: animal cruelty will not be tolerated in Ontario.

The act in its second reading today targets puppy and kitten mills. It will establish standards of care for dogs, puppies, cats and kittens for the purpose of breeding and selling. In addition to outlining a standard of care for cats and dogs in Ontario, it will create an offence for the violation of any of the standards. Not only will there be standards of care for cats and dogs in Ontario, but if these standards are not met, extensive penalties will be enforced. These standards will require breeders and those selling animals to provide adequate food and water as well as medical attention while the animals are being bred or kept for sale. They will have to provide physical safety while the animals are being transported, and breeders must also provide adequate space, ventilation, sanitary conditions and the opportunity for exercise.

All these standards are simply common sense, and it's unfortunate these sorts of standards have to be put into legislation. However, like I said before, the bill includes penalties for failing to comply with standards of care for cats and dogs, and those penalties include fines of up to \$60,000 and not more than five years in jail. In addition to any other penalty, the court may make an order pro-

hibiting the offender from engaging in or being employed or involved in the breeding of cats and dogs for sale for a specified period or, in the case of a corporation, forever.

I can see I'm running out of time, so I'd like to wrap up by saying that puppy mills should certainly not be tolerated in this province of Ontario. People who care about animals show them love, compassion and respect. They feed them, give them water, socialize them and see that their medical needs are met. After all, as the author George Eliot said, "Animals are such agreeable friends. They ask no questions, they pass no criticisms."

I encourage all members to support this bill.

**Mr James J. Bradley (St Catharines):** I've wanted to speak on this issue; it's one that is extremely important to people right across the province. I have received communications from people who are very concerned about puppy mills in this province. They have been wanting to see the provincial government take some action, particularly since my colleague from Eglinton-Lawrence, Mike Colle, has been across this province indicating what the problems are, taking this cause on with as much vigour as that with which he's taken on the cause of the Oak Ridges moraine.

Just as he was able to extract from the government action on the Oak Ridges moraine through his persistence and his campaigning, it is my hope that we will see from the provincial government the same kind of action as a result of his persistence on the issue of puppy mills, which are disgraceful in this province in some instances, the breeding of puppies, and particularly these mills that they have that are almost factories.

The member for York North has brought forward a piece of legislation that will be a step in the right direction. In my view, and it's a pretty objective view—I know you don't think so, because when it's your own member, you tend to say your own member, of course, has a better bill. If it weren't, I suppose I wouldn't be saying it were. But I think the legislation to be brought forward on December 6 by the member for Eglinton-Lawrence is considerably stronger than this legislation. You can always find a member on the government side who will find a federal component to any bill, that the province shouldn't take action; it's a federal jurisdiction. I've heard some of those petitions read in the House, a petition that asks the federal government to take action.

Here is an issue that is within the jurisdiction of the provincial government. The Solicitor General of this province has not moved forward as we would have hoped with strong legislation in this regard. My colleague from Eglinton-Lawrence has indicated he wishes to bring forward a bill. In fact, I made way for that bill. I had the designation for a private member's bill on December 6. I felt so strongly about this piece of legislation, that I needed action before the end of this session, that I traded my place with the member for Eglinton-Lawrence so that legislation could come forward.

1050

His legislation certainly deals with what the real problems are. To put an end to the practices that have been

described in this Legislature and give unsuspecting consumers assurance that they're purchasing what we would refer to as healthy pets, the Puppy Mill Ban and Animal Cruelty Prevention Act by the member for Eglinton-Lawrence will legislate the following things, which I think is even stronger than this legislation: it will require the licensing of all pet breeders and kennels to operate in Ontario; it will allow full inspections of breeder and kennel operators by the OSPCA; it will make it a provincial offence to operate puppy or other pet mills, punishable by fines of up to \$50,000 and/or two years in jail; it allows the imposition of a lifetime ban on individuals found operating pet mills; it imposes fines or jail terms on pet store operators that knowingly and willingly buy or sell pets from pet mills; and it establishes a publicly accessible provincial registry of pet breeders and kennels.

I think that kind of legislation is significantly stronger than the legislation that the member for York North has brought forward today, and I would hope we would see full support for the legislation that the member for Eglinton-Lawrence brings forward.

All of us in this House, regardless of what political party we belong to, are sickened by what we've seen with these puppy mills, the mistreatment of these animals. For many people, the animal that they have, be it a dog or a cat or another pet, is great companionship, a source of comfort, a source of support. You see this very often with seniors who are perhaps alone and have a pet with them, a pet that has become very much attached to them.

We want to ensure that when people are purchasing dogs, whether it's for children or for seniors or others, those dogs have had a healthy upbringing, that the breeding process has been such that they've been treated not cruelly but instead very sympathetically, and nourished properly both in terms of the love that is given to those animals and in terms of the physical nourishment that can be provided.

I think this bill is a step in the right direction. I think the bill by the member for Eglinton-Lawrence is much stronger.

**Mr Doug Galt (Northumberland):** I'd like to start off in recognizing the member for York North for bringing forward Bill 129, an amendment to the OSPCA act; also to recognize two Solicitors General. I've sat on a task force. The Honourable David Tsubouchi and now the Honourable David Turnbull have been working with the Toronto Humane Society as well as the OSPCA in amending that particular act, and I look forward to that coming forward later on.

I listened to the member for Eglinton-Lawrence being quite critical of this particular bill. The member for St Catharines was a little more supportive, expecting and wanting it to go further. But if we were to be critical, I'd suggest we be critical of the federal government and their blundering with the Criminal Code, which the problem of cruelty to animals comes under. I agree with their increased penalties, and we had a resolution in this House to increase those penalties. But there are a lot of problems with that particular bill, particularly with the definition of "animals."

I also heard the member for Eglinton-Lawrence talk about licensing or registration of these kennels, these so-called puppy mills, which is very difficult to define. I think it's going to be a lot like the criminal element: will they register their guns? They are the problem, but no, they are not going to register their guns. I would suggest that probably a move like that would just drive those organizations and those operations further underground.

I also heard him call all of these operators criminals. If in fact they are criminals, then why wouldn't they be charged under the Criminal Code? It's certainly open there. If in fact they are criminals, that's the Criminal Code and that's where they should be charged. But I would disagree that they are all criminals—some possibly with a profit motive, but some evolve into these situations in a very innocent way.

The member may ask, how do I know? As a veterinarian in practice, I've been in these premises and I've seen how they have evolved. At that time—it was quite a while ago when I was in practice as a veterinarian—there weren't really the teeth to do very much about it. Later on, as I worked in a diagnostic lab as a veterinary pathologist doing necropsies on these animals—certainly I'm empathetic to the concerns coming from the other side of the House, but I see the very practical approach the member from York North is using in this bill. She is looking at standards, taking a code of practice, giving it more teeth and putting it into a bill. I believe that is absolutely, at this point in time, the right direction to be going until the full OSPCA Act amendments come forward from the minister.

I really agree it is the right direction. The wrong direction is to try and identify a puppy mill or kitten mill with a maximum number of bitches or queens that might be there for breeding purposes or the maximum number of litters in a year that a queen or a bitch might have. That isn't the problem. The problem is how the animals are raised, how they're housed, how they are looked after. If you wrestle with this whole problem of defining a puppy mill or defining a kitten mill, it is literally impossible. I know it creates all kinds of emotion to use that term, and it is great if you want to build emotion in society and build toward getting something accomplished.

What the member from York North is presenting, the code of practice that has been used by the OSPCA and others, is very similar to the codes of practice for other species of animals raised on farms. I compliment her for bringing this forward to recognize these standards and have them enshrined in law, provided this bill passes second and third reading. Again, compliments to the member from York North.

**The Acting Speaker:** Response?

**Mrs Munro:** I want to thank all those who have taken part in the debate this morning. I want to comment on a couple of points that have been raised.

To the member from Toronto-Danforth, who believes this does not ban puppy mills, I think she has missed the point of the definition. It does ban, because what we are

saying is, "If you can't meet the standards, you're out of business." It's that simple.

The member for Scarborough-Agincourt referred to the member opposite's bill as a more comprehensive approach. I just want to call attention to the fact that when you look at that comprehensive approach, you find it catches everyone and crosses already existing jurisdictions. Municipal bylaws exist that provide the operational requirements, inspection and so on and so forth. But what that comment actually leads to is what I believe is the most important part of being able to distinguish between the two bills.

The member for Eglinton-Lawrence's bill is very much in the mindset that criminals register guns. He believes that puppy mill operators are going to sign up on a provincial registry. In fact, it is quite clear that that is not the case; that's not what people do. My bill provides a mechanism where you put them out of business because they can't meet the standards of care. It is care and the opposite, neglect, that is the critical piece in being able to assure the purchaser that any animal comes from the appropriate environment and background. That's what this bill is intended to do. I certainly urge all members of the House to support the bill.

**The Acting Speaker:** That completes the time allocated for debate on ballot item 33. We will take the questions at 12 o'clock noon.

1100

## SOUTH ASIAN HERITAGE ACT, 2001

### LOI DE 2001 SUR L'HÉRITAGE SUD-ASIATIQUE

Mr Gill moved second reading of the following bill:

Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day /  
Projet de loi 98, Loi proclamant le mois de mai Mois de l'héritage sud-asiatique et le 5 mai Jour de l'arrivée des Sud-Asiatiques.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes for his presentation.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is an honour to initiate debate on Bill 98, the South Asian Heritage Act, 2001. I would first of all like to thank the members of the Ontario PC caucus for their generous support and encouragement of this bill. I would especially like to thank our Premier, the Honourable Mike Harris, who has offered his assistance through words and, more importantly, through actions when it comes to encouraging and supporting the South Asian community in Ontario. I would also like to thank my caucus colleagues who have volunteered to speak in favour of this bill, Mr John O'Toole, Mr Doug Galt, Mrs Marilyn Mushinski, and the Honourable Tony Clement. These are among many of the hardest-working members in this Legislature and I do appreciate their personal support and friendship.

The South Asian Heritage Act, 2001, is a bill that all members of this Legislature should support, and I am certainly looking forward to their support this morning. It offers the opportunity for us to come together, not only as members of political parties but as members of this great chamber, steeped in history and pride, to recognize and celebrate the contributions of Ontario's South Asian community.

The South Asian Heritage Act, 2001, is a bill that does two simple but very important things. It proclaims the month of May as South Asian Heritage Month and the 5th day of May as South Asian Arrival Day. This is the first such bill in Canada. Our actions and words today will leave an everlasting mark.

My friends, let us make no mistake. Today's Hansard and comments made by all members of the House will be reviewed by the eager South Asian press, over a million South Asians living in Canada and many others around the globe. Today, we as legislators are laying a foundation for the well-deserved recognition of the South Asian community. Today, all members of this Legislature have the opportunity to acknowledge Ontario's diversity and, at the same time, an opportunity to lay a positive foundation upon which South Asian children and adults, young and old, can see themselves reflected in the fabric of society in our great province.

I'm going to outline the many contributions of South Asians in Ontario, but first I would like to acknowledge the work of the members of the Indian arrival and heritage month committee who have led the way in promoting South Asian heritage in Ontario. There are several members, and it would be difficult for me to mention all their names because then we'd be using up all the time. They have played a key role in bringing people of South Asian backgrounds together and are a key inspiration for the creation and introduction of this bill.

The South Asian community is strong and proud. I am proud to call myself a member of this community. As South Asians, we take pride in our heritage, in our culture, and in our individual religions and in our community. For South Asians, the month of May has been a time of celebration and commemoration of our arrival from the Indian subcontinent to the Americas, beginning on May 5, 1938.

In Ontario, the first South Asians who arrived here worked in our thriving sawmill industry and helped to open up the frontier. Many of them chose to settle in those small communities across Ontario. In 1897, Sikh soldiers from the Hong Kong regiment travelled across Canada on their way home from England after taking part in Queen Victoria's jubilee. One headline at the time read, "Turbaned Men Excite Interest: Awe-Inspiring Men from India Held the Crowds."

A few years later, my grandfather, Sardar Mewa Singh Gill, hearing news of this wonderful country, joined his friends and headed to Canada. They took a ship, now infamous, the Kamagata Maru. Upon reaching British Columbia, the federal government of the day, fearing a

wave of undesirable immigrants, bombarded the ship with cannons and refused to allow it to drop anchor in Canada. Undeterred by the unfriendly welcome, my grandfather jumped the ship *Kamagata Maru* in Mexico and with his friends made his way north to Canada. This was in the year 1914. They lived and worked in Canada for about five years, helping to build the railroads, and then returned to India.

In India, tales of Canada were told to us as young children many years later, and it was upon the advice of my grandfather that I, as a young man of 17, joined my parents and siblings to travel to Canada some 34 years ago.

Another parallel is the Honourable Ujjal Dosanjh, who also left India at the age of 17 to come to Canada and had the honour of achieving the highest public office in British Columbia, as the Premier of BC the first South Asian descendant to be Premier of a great province of Canada.

From small communities and humble beginnings, Ontario South Asians have lived, worked and raised their families in Ontario since the early part of the 20th century. While the Ontario South Asian community is as vast and diverse as Canada, we share a common bond: our ancestry. Most South Asians come to Canada directly from India, but many others come to Ontario from such places as Pakistan, Sri Lanka, Bangladesh, Uganda, Kenya, South Africa, Mauritius, Fiji, the United Kingdom, Trinidad and Tobago, Guyana, and many others. Today, South Asians number over 700,000 in Ontario and are proud to contribute to many aspects of culture, commerce and public service across this province.

This contribution has not gone unnoticed. Speaking to the 10th annual Indo-Canada Chamber of Commerce awards and gala dinner this past June, Premier Harris said, "The Indo-Canadian community has consistently founded companies that have created jobs and enhanced the economic vibrancy of Ontario." The Premier went on to state, "Our province is the preferred destination of South Asian immigrants to Canada. That's a testament to Ontario's quality of life and economic strength, and we intend to keep it that way."

The Premier spent that June evening saluting the accomplishment of South Asians such as Anita Gahir, a 13-year-old up-and-coming golf great, who has won a number of major tournaments, including the US Kids World Championship. South Asians have not only excelled in golf but also in sports such as figure skating, where young Emmanuel Sandhu represents Canada internationally. In boxing, Jamie Behl, a young lady of 26 years, has held the Canadian 48-kilogram boxing championship for the past six years and is currently ranked second in the world. As a matter of fact, only yesterday Jamie finished her training and left for the world championships, where she hopes to return with a gold medal. I'm sure my colleagues here at Queen's Park will want to wish her well.

It is with pride that I acknowledge that this year, for the first time ever, a young South Asian, Neelam

Verma—who is in the members' gallery today, and I would like to recognize her—has won the Miss Canada Universe pageant and will be representing Canada in the Miss Universe pageant in Puerto Rico next spring. Miss Verma is here this morning in the members' gallery, as I said. Neelam, I know all members of this Legislature join with me in offering our best wishes to you as you represent not only your hometown of Etobicoke but Ontario and Canada as well.

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Today, South Asian culture is on permanent display at the Royal Ontario Museum, thanks to the kind and generous support of Christopher Ondaatje. Last year, thanks to the support of the Ontario government, the federal government and many kind sponsors, the Arts of the Sikh Kingdom exhibit was held at the ROM. In addition, South Asian author Rohinton Mistry, a resident of the proud city of Brampton, is well known throughout Canada for his wonderful and award-winning novels.

I know the time is running short. I would request all members of this House today to help me and pass this bill.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased and delighted to lend my wholehearted and strong support to the bill.

If we look ahead at the province of Ontario, 90% of our population growth will come through immigration in the next 10 years, the next 25 years. The majority of that will come from the east, from South Asia and from China. We depend on our ability to attract the best and the brightest from around the world to want to come and live in Ontario.

I have a metaphor for my view of Canada: I've always said it's like a flower garden. Originally there was one flower in this garden, our First Nations, our native people, but over the history of this country we've been able to attract the best and the brightest flowers from around the world to want to come and live here. Of course, among the best and the brightest flowers is our diverse South Asian community. It's going to be even more important in the future that they feel this is a place in the world that they want to come to live. By the way, it's going to get more competitive for it.

This act is one step, but an important step, in ensuring that people, when they're looking at where they may want to go and live, say, "I want to go to Ontario." I also always say that, like any flower garden, it needs nurturing and caring. I hope that this bill, along with actions in the Legislature, will help that to happen.

I represent a community in the northwest part of Scarborough. Within a kilometre of where I live there are the largest mosque in Toronto, or one of the largest mosques in Toronto, a very large gurdwaras, two Hindu temples and a Buddhist temple, reflecting the changing complexion of Ontario. As I say, if we look ahead, our diversity will become even more important.

One of the things we in this Legislature have to make sure we do is that we make our diverse faiths welcome and we do what we can to ensure that they are able to

practise their faith as freely as possible. That often includes changes in the workplace and ensuring that we accommodate a variety of religions in the workplace. Another thing that we need to do much more of is called access to trades and professions.

Ontarians may not realize it, but immigrants, on average, have a higher level of education than the rest of us in Ontario. If you look at the average education of immigrants to Ontario, they already have a higher level of education. I often feel sorry for the country of origin because they've invested a lot to educate these people and they choose to come to Ontario. We have an enormous brain gain. We've often in the Legislature bemoaned our brain drain, but Ontario every year gets 100,000 people to come to Ontario, better educated than the rest of us. We have an enormous brain gain but we're still, to this day, not taking advantage of it. As we all know, there are medical doctors driving cabs. I met recently with an individual from Kitchener, and there's a group of doctors—I think there's 52 or 53 foreign-trained physicians, more than that—living in Kitchener-Waterloo who can't practise, and yet Kitchener-Waterloo is an underserved area. All of us need to push far more aggressively for this access to trades and professions.

I often mention that, like any flower garden, there are weeds that creep in. We collectively need to root that out. All of us were disturbed immediately after the September 11 incident at how many in our Muslim community, our Arab community, felt the brunt of a completely unfair and unwarranted attack on them. I've always said that whenever this happens to any community, we all have a responsibility to step in and respond to it. We can never allow a community to be isolated and attacked by that fringe element in our community that would use an event like September 11 to attack a community. I'm happy that response eventually took place. The Friday of the week of the September 11 event I did visit, along with other members, a mosque to lend my support to the Muslim community.

I represent an area with a large Tamil community. I've often said here in the Legislature that there are 300,000 Tamils living in the greater Toronto area; 300 of them are in gangs. That's one out of 1,000 in a gang. But when many in the community think of the Tamil community, they think of Tamil gangs. I have a local school called L'Amoreaux Collegiate. A year ago the valedictorian and the two top students in that school were from the Tamil community. Many of us attended an event just a week and a half ago—Mr Gill might have been at it—called CANTYD. The young Tamil community was honouring the achievements of the young Tamils in our society.

My point is that as we recognize this enormous strength in our diversity, when we see attacks against one of the communities, we all must step forward and speak out. I often speak with the Tamil community and say, "Ontarians recognize"—when you hear the word "Tamil," think of the 999 out of 1,000 that are hard-working, caring, dedicated and, I might say, often among our best and brightest young people. Think of those 999. The police will deal with the other one out of 1,000.

I go back to how I opened my comments, and that is, the future of Ontario depends on our ability to continue to be a society where the best and the brightest from around the world say, "I can go anywhere in the world, but I want to go to Ontario." We truly are a beacon for the world. If you look at the challenges in the world, here we are in Ontario with this enormous diversity. In my community we've got Christian churches, the mosques, gurdwaras, Hindu temples, all within a very short distance from each other.

While the rest of the world is struggling with how we all live and work together, we have a model here. I'm proud to support this bill and say it is another step forward in making sure that Ontario continues to be that kind of an environment.

**Mr Rosario Marchese (Trinity-Spadina):** On behalf of the New Democrats, Raminder, we congratulate you, the member for Bramalea-Gore-Malton-Springdale—it's a long title—for introducing this bill. He of course has delineated very well the proud history and heritage of Canadians of South Asian heritage, and it's something that people need to hear to feel acknowledged and recognized as equals in this country and in this province.

I want to argue that multiculturalism is a beautiful thing, but we have to make it work. I suspect that there are a lot of South Asians in this province and this country, however, who feel that they are not as equal as they would like to be; that many of them would like to be in positions of responsibility and power, and they think they're not getting there for some obvious reasons of issues of race. There are a lot of South Asians who probably are arguing, "Why are we at the bottom of the rung in terms of economic benefits, in terms of wages? Why is it that having a good education still leaves us at the bottom rung as people of colour?" I think they want to ask those questions.

I just don't think it's good enough for us, Mr Banker, to be able to just say, "This is a proud day and we should just be happy and celebrate our heritage." We have to show the underbelly of that problem that we have in this province.

**Hon Rob Sampson (Minister of Correctional Services):** We saw the belly you showed in 1995.

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**Mr Marchese:** I want to tell the member from Mississauga Centre that he doesn't have a proud history as it relates to issues of people of different colour, of people with disabilities, of aboriginal people.

You'll remember that the New Democrats introduced employment equity in this place. Mr Sampson wasn't here, some of you were not here, but your previous members were. When the New Democrats were in power, we introduced a bill called employment equity that was designed to bring about fairness to people who traditionally had been discriminated against, and those were aboriginal communities, our First Nations people, women, people of colour and people with disabilities. The New Democrats said, "We have to recognize there is discrimination in this society."

Of course, all politicians want to be so nice. They all want to be so nice about how proud we are to be non-racist in this country. Politicians don't want to talk about racism at all, especially on the happy occasion today of the introduction of this bill. They would rather be nice today. A few of them already are not liking what I'm about to say today, and we might be lucky enough to hear from them. But we said, "There is discrimination in society, it's documented," and we introduced employment equity to bring about greater fairness. We said, "Where there are large communities of people with disabilities, people of colour, the workplace needs to represent them fairly." It wasn't doing that and it's still not doing that.

When this government got into power in 1995, defeating the New Democrats, they said that was a quota bill and it was bad. They said it was reverse discrimination, and those poor people of colour would have to fight as equals with the rest of them. We know that people of colour are not as equal as they want to be. They know that if you're black, you don't get treated as well as if you are white. They know that. You can hide that as much as you want, but people of colour know that they suffer the effects of their colour. They know that. They seek justice and they seek fairness and they seek a society that is anti-racist and they look to government to do that.

Employment equity was such a measure—a measure.

**Mr Wayne Wettlaufer (Kitchener Centre):** This is below even you, Rosie.

**Mr Marchese:** I'm not sure whether Mr Wettlaufer from Kitchener Centre, normally my friend, is going to say anything today about this bill, but I'm looking forward to his comments.

*Interjection.*

**The Acting Speaker:** Order.

**Mr Marchese:** The member for Kitchener Centre would like me just to be polite and tell you how wonderful you all are, and, "Isn't this a proud, proud country where we have everyone coming as immigrants, and aren't we all so happy to be here." Yes, we are, but we want to be treated equally and fairly in this society. Don't you want to be treated equally and fairly? Of course you do, and of course the few people of South Asian origin who are here want to be treated as equals, but they know they're not getting the same fair shake.

What did you do in response to employment equity? You axed it in a matter of weeks. It was repealed. It was gone. Why? Because the government said, "We are all equal in this society." Ha. "We are all equal," they said, and they argued, for those of you who support that government, "If you've got a problem with racism or discrimination, you can go to the Human Rights Commission." You can go there and wait for years and years, if you're lucky enough to be heard at the Human Rights Commission, which these people have axed by way of support. They're proud to say, "Oh, things are moving real fast." Of course, because they're not being dealt with.

*Interjection.*

**The Acting Speaker:** Order. The member for Kitchener Centre will come to order. If I hear from him again, he's going to be out. Thank you.

The member for Trinity-Spadina.

**Mr Marchese:** The member for Kitchener Centre is not happy with my comments. Of course not.

They got rid of the Anti-Racism Secretariat. They said, "We don't need it. We're all equal." Do you people of South Asian origin feel like you're equals in this society? How many of you are out there, day in and day out, in the workplace and in that society, saying, "I am an equal. I get the same wages as everybody else; I have the same employment opportunities as everybody else"? Raminder, please, you're lucky to be here. How many of us, how many of you are in this Legislature? You—

*Interjection.*

**Mr Marchese:** Yes, they're proud. We've got New Democrats—please, you're in the wrong seat. You're not in your seat.

**The Acting Speaker:** Order. The member for Durham is not in his chair and if I hear from him again, he'll be gone.

**Mr Marchese:** We have New Democrats as well of South Asian origin. Raminder mentioned one. He didn't say he was a New Democrat, but he is the Premier of British Columbia and his name is Ujjal Dosanjh. He's a New Democrat. We're proud of that. I don't think he mentioned the Alberta leader of the New Democrats, who is Raj Pannu. I don't know if you mentioned him, but he's a New Democrat. He's the leader of the NDP. We're proud of that.

You can mention many great Canadians of South Asian origin. That's not the point. There are many great Canadians from every linguistic or racial group, but does that mean all South Asians share the same success? No. Can they all say, "We are equal because we were able to be Premiers of certain provinces" and that any South Asian can do it, just like Ujjal did in British Columbia? I tell you, no. Those individuals are the exceptions. The rest of the folks have to worry about whether or not there's racism out there.

September 11 has shown us that racism has not disappeared. We know that the temples and mosques of people of the Hindu and Sikh communities have been vandalised and attacked since September 11. Why? On what basis? Because racism is still in our society and it's so very likely not going to go away. This government got rid of ESL programs from the Ministry of Citizenship. This government got rid of the Welcome Houses that received immigrants and prepared them for orientation into Canadian society. They eliminated all that. How do you do that? How do you build bridges? You don't build bridges by just simply saying, like these Tories, "Don't worry, you're all equal. This bill will just make it all better, because you're all equal."

You all know that. You have so many of these Tories around here—good people all. My friend from Dufferin-Peel-Wellington-Grey is a good man, but I don't know how they can defend certain things.

Governments have to be leaders. Governments have to lead, and you lead by example. The way you've led is to destroy employment equity. Gone. You axed it. You axed the Anti-Racism Secretariat, the ESL programs from the Ministry of Citizenship and the Welcome Houses. What does it say to those communities? What does it say to them when you do that?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** We axed the quota bill.

**Mr Marchese:** David said, like Stockwell used to say with his eyes popping out, "It was a quota bill." These people intentionally, deliberately give you a distorted view of what that bill was. We said that workplaces had to create targets and they had to meet them. The Tories conveniently, politically, brilliantly said, "It's a quota bill." You don't have to explain quotas, you just have to say, as they did, that it was a—

**Mr Tilson:** So many women, so many disabled, so many people of colour, so many aboriginals. That's all quota—

**The Acting Speaker:** When I'm standing, you're quiet. If I hear from the member for Dufferin-Peel-Wellington-Grey again he'll be gone.

**Mr Marchese:** The member from Simcoe Centre smiles ever so sardonically. I don't know how Raminder feels, but I tell you, I would feel pretty bad to be in your shoes, as I would have felt to have been a Liberal when we were doing the employment equity bill and some of the members had to attack that bill too. It was very odd, I've got to tell you.

But I'm proud. As an immigrant, I'm proud to be here, proud to receive immigrants from all over the world; proud and happy. As a government, we need to create bridges. As a government and as politicians, we need to break down barriers and not raise them up. You don't do it by getting rid of the Anti-Racism Secretariat. You just don't do that. You cannot be happy, the member from Dufferin-Peel-Wellington-Grey, to say, "We got rid of the quota bill because it had quotas for women, quotas for people with disabilities, quotas for aboriginal people, quotas for people of colour." All these communities have been discriminated against. You just say that so nonchalantly.

What do you offer in its place? You offer nothing, no bridges whatsoever. You offer nothing to those communities that could say, "We're proud of what these Tories are doing." What have you offered, except to give them words that you treat them as equals, that they are equals? What have you given them and what evidence do they have that they have advanced economically in this place, that their wages are as equal as the rest, that they compete fairly with white folks in society? What evidence do they have? They know. I don't have to tell them; they know.

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September 11 has brought to our communities racial profiling, which New Democrats attacked because racial profiling produces the example of Mr Bhupinder Dhanoa, when he was abused so disgracefully on a trip he made

November 17. An innocent, law-abiding Sikh man was forced off his flight in Toronto because another passenger complained he was staring at him. They stopped the plane and got him off because some other person complained he was staring at them too long. Raminder, please, what do you say to that? You ought to be standing up, you and the rest of them, like the member from Mississauga Centre. I want to hear his proud remarks about this.

**Hon Mr Sampson:** You bet.

**Mr Marchese:** You bet, my foot. Except for racial profiling—that's what you people are good at.

You have power, members of the South Asian community, and your power is your vote to determine who is on your side, to determine what's best for a multicultural society. And for multiculturalism to be meaningful, we all have to feel we have a place in this province.

This bill acknowledges you. Fair enough, and I support that. I'm saying we need to do more. Those gestures have to be visible to you and to me, and they, as governments, have to lead, not just through measures with this bill, which are good enough for me to support but insufficient and inadequate to deal with the larger problems that many of you are facing. I say "many of you," and I feel the fact that as Ontarians some of you are suffering more than some others. You have power to use it.

We have power today to celebrate May as the month of South Asian Heritage. No problem; it's good to recognize. All I'm saying to Raminder and the rest of you is, let's look at our society and see whether we have failings and how we deal with those failings. If we value multiculturalism, let's make it work and let's make it meaningful and let's put into place as governments, not just bridges, but let's break down barriers so that we all feel genuinely equal in this society. That day will come. The day will come when people of all heritage will mix, will intermarry and it will be a beautiful Canada when we have the power to intermarry and break down yet another barrier. When that happens, we will have achieved greater equality as people of all nations.

Raminder, I support your bill. There's much more to do and I wanted to speak to how much needed to be done.

**Mr Doug Galt (Northumberland):** I appreciate the opportunity to speak on Bill 98 from my good friend from Bramalea-Gore-Malton-Springdale. For my first year and a half year here I had the privilege of sitting beside him in the Legislature.

What an embarrassing speech we've just heard, going on about partisan politics, talking about their employment disequity bill that they put through. Getting jobs in this country is about specific skills. That's what the ethnic communities want and that's what most people in Ontario want, except the NDP. What an embarrassing bill that was before us.

I want to speak on contributions that have been made to our society by various ethnic groups, and I want to speak from personal experiences, having lived for a year

in Indonesia, from 1988 to 1989. The first one is looking at life in a different sort of way, and both are right. Is the glass half full or half empty? While over there, I tended to like to have my hair cut shorter, and I went in with the right words to the barber and asked to have my hair cut shorter. For six months it got longer and longer and it started down the back of my neck. I was a bit frustrated until finally accidentally I found out that what they measure there is not what is left, but what you take off. It's the same whether you cut grain or cut hay or cut hair. When I went back and told them I wanted it cut longer, I got my hair cut just the way I wanted it. It's just a communications issue, and if you think about it, it makes more sense to measure what you take off.

The next one, on debate—and they never really got into debate because it was important not to embarrass the person they were visiting with or what we might call debating with. They referred to it, in translation, as “saving face.” I think the members on our opposition benches could learn from that bit of culture, saving face just a little bit, especially when I heard this last speech. By the way, I lived on the island of Java in the city of Yogyakarta, in the centre of Java, not to be confused with the capital, Djakarta. They're so polite over there, they have a word for no—“tidak”—but I never heard it used while I was there. The strongest no they ever use is “mun kin besok,” which is translated as “maybe tomorrow.” When they repeat that a couple of times, that really translates as an absolute no, but they're so polite they do not use that.

Last June I had the opportunity to attend a banquet here in Toronto with about 1,500 people from South Asia of the Indo-Canada Chamber of Commerce. What great food they had that evening, but also what a great quote. I'd like to read the quote to you from the Premier of the province, Mike Harris. He said, “The Indo-Canadian community has consistently founded companies that have created jobs and enhanced the economic vibrancy of Ontario. Our province is the preferred destination of South Asian immigrants to Canada—that's a testament to Ontario's quality of life and economic strength and we intend to keep it that way.”

I was so pleased that evening that Steve Gupta, who has property in my riding at Port Hope, received a very special award. He is one of the many, many entrepreneurs who have contributed so much to our culture.

This bill recognizes South Asians' contributions to our Canadian mosaic. I would encourage every member in this House to support this bill. I'd also encourage every member in this House to have an experience of some of those different cultures we're so fortunate to have come to this great province of Ontario.

**Mr Tony Ruprecht (Davenport):** I rise on behalf of the Liberal caucus and my leader, Dalton McGuinty, in support of this bill of the member for Bramalea-Gore-Malton-Springdale, private member's Bill 98, the South Asian Heritage Act, 2001.

Many times I get asked, who are the South Asians and what community do they consist of? I'm happy to tell

you that the South Asian community itself is a multi-cultural community of various backgrounds. For instance, right here in Toronto we have many communities that have their very own cultural initiatives, their very own language, their very own way of doing things. The Pakistani community, of course, is now over 80,000 members strong in Toronto; the Bengali community, over 6,000 people; the Ismaili community, over 25,000 members. The East Indian community is one of the largest—180,000 persons who trace their ancestry to the subcontinent and to India. From Sri Lanka we have the Tamil community—in Toronto, 170,000 people. Each one of these communities has a distinct social and cultural life and is very proud of their background, heritage and language.

In Toronto alone, when we look at this great city, it's been declared by the United Nations as the most multicultural city in the whole world. Over 52% of people from Toronto were not born in Toronto; they were born outside of Canada. In the greater Toronto area, we have over 40% of our residents and citizens who were not born in Canada. These are really staggering numbers.

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In Toronto alone we speak over 100 languages. The United Nations says there are 189 countries. We have people here from 170 countries. The question we should ask ourselves is, why do all these people from each corner of the globe want to come to Canada? Toronto especially is the recipient of the majority of them. Why do they want to come here? The answer is not that difficult. They believe that in Canada we have a very tolerant society. But not only that, they believe that here we have an equality of opportunity and a sense of justice and fairness, and a sense that each one of us will be treated equally. Certainly there's a great sense of having an opportunity they will not have in the country of their origin. While there may be many reasons why people come to Canada, essentially that's the essence of why people come here.

It is incumbent upon us, as legislators, to try to ensure the doors are open. Not only do we need people; even for our economy it's important that we get people coming here from all over the world. Our economy is dependent on the growth of not only the ethnocultural communities but of the population base. So I'm delighted that I am part of this Legislature and part of a Canadian government that has opened its doors.

We've heard the speech before from the member for Trinity-Spadina. He says much more needs to be done. We're not a perfect society, but at least we're taking steps in the right direction. What might some of these steps be?

The first step Mr Phillips was talking about that we have taken, and these are just baby steps, is a step to ensure that when foreign-trained professionals come to this country, and we have a need for them, they be given a fair chance to practise what they practised where they came from.

It simply can't be that our immigration officials in our embassies abroad are saying, “We will give you extra

points for coming to this country because you're educated and you are practising a profession," and then when they come to Toronto, what do they find? Do they find the doors open in terms of practising their profession? There is a greater sensitivity and consciousness now among those professional organizations and they say now, "Maybe we should be changing our outlook a bit." Just yesterday I was delighted to speak in front of the professional engineers of Ontario. I was delighted to see that many members were from South Asia. I was delighted to see that, because the engineers of Ontario have opened the doors a bit more—they've done the right thing—than other professions.

It can't be that we have a great number of educated persons who come from outside the country and end up as taxi drivers, as restaurant cleaners or as pizza delivery persons. I say to you today that you have the power too, while we celebrate this bill, to open the doors and to make your input in terms of saying to them, in terms of my own private member's bill which I introduced into this Legislature—it was passed unanimously, but the government decided in its wisdom just to table it and do nothing about it.

We have a responsibility to all those who are professional persons and who come to Canada, whether they be doctors, nurses, physiotherapists, engineers, accountants or lawyers, that the doors be open so they can practise in their professions.

We're proud, as Canadians, to have a sense of fair play and a sense of justice. It is in this direction that we must open the doors. There are other areas of course, and I'm talking about the Anti-Racism Secretariat, I'm talking about the Ontario Welcome Houses and I'm talking about the decimation of the diversity council of Ontario. But aside from that, we are here today to support this bill.

**Mr John O'Toole (Durham):** I'm pleased to join in debate on Bill 98, the South Asian Heritage Act. Let me first of all congratulate and recognize my good friend Raminder Gill, the member from Bramalea-Gore-Malton-Springdale, for his efforts in putting this bill together to recognize the contributions of Ontario's South Asian community and to welcome all those who are listening and visiting today in the gallery.

I just want to mention that I'm a little bit saddened; in fact, I'm a little bit off my message that I had taken some time to prepare. I'm absolutely saddened by the statements by the member from Trinity-Spadina. He said, "Mr Gill is lucky to be here." That fundamentally defines the problem with their employment equity position. It is so patronizing, as if skilled people cannot make it on their own. I really just can't embrace that kind of mis-conceived patronizing attitude toward Mr Gill; as if they're not professionals.

I might return with the response that the member from Trinity-Spadina might consider himself lucky to be here, along with other members of both sides of this House whose birthplace is—or their mother's or father's—another country. I think it is embarrassing actually that

you would use this opportunity, a celebration. And I point to other people in the gallery here today: Mr Harry Mann, who's a good friend, a consummate professional in both India and in Canada and a very successful individual, no thanks to your particular attitude toward making people feel that they aren't equal by the very nature of the policy you put forward that implies that they can't make it.

It is that attitude that is fundamentally very flawed, patronizing and the lowest form of insult that I can imagine. I think of members in my community such as Tunu Sohdi, whose family has run a very successful business in my riding, who have integrated in every aspect of the community and are full members of the community, without exception. I think of other members of my community. I, for one, will be sending this Hansard and those remarks to my friends; specifically, Dave Patterson, who's a very good friend of mine, who's from the multicultural council in Durham.

In a recent speech, the Premier spoke with the Indo Canada Chamber of Commerce and stated that Ontario is the "preferred destination of South Asian immigrants to Canada." This fact is reflected not only in my community but, as I said before, throughout the GTA where South Asians today number over 700,000. South Asians in Ontario give a lot and ask for little in return. They simply wish to be recognized, to be welcomed and to share in the opportunities of this great province. Their contributions serve to make Ontario for all of us a better place to live, to work and to raise our families and, indeed, to celebrate our cultural uniqueness. They add much-needed skills to our economy, as has been said before, and diversify our very rich and mosaic culture. This is about celebrating diversity. This is about celebrating the success of the South Asian community.

I know other members in this caucus want to be part of the celebration with Mr Gill and his friends in the gallery here today. It is my humble experience to be able to share my commitment in supporting Mr Gill's initiative and his ongoing ability to articulate and celebrate the wonderful opportunities that we collectively share. That sharing is an equal aspect of our society. Economies these people have left were often fraught with war and dislocation. They came here for opportunity.

Mr Gill's family came from India, it is my understanding, 34 years ago. Others from the South Asian community come from Pakistan, Sri Lanka, Bangladesh, Uganda, Kenya, Fiji and Guyana. I am pleased to support Mr Gill's initiative. I commend him for his effort and his research. I will certainly be supporting this legislation.

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**Ms Marilyn Mushinski (Scarborough Centre):** Dr Ubale, Drs H. and S. Sahay, Mr Jain, Shantu Maher, Vic Gupta, Stien Lal, Kanta Aurora, Sam Hundal, Bobby Hundal, Sam Appadurai, Bahaden Madhani, Ayoub Vohar Banji, Ravi Shankar: who are these people and what do they have in common? Let me start off by saying that none of them needed a quota law to achieve success. They are all personal acquaintances of mine and they're

all of South Asian origin. They have all enriched and made a huge difference in the lives of many individuals.

Dr Ubale is a well-known and highly respected pioneer in the field of human rights. Drs H. and S. Sahay are family practitioners in Scarborough, who put the term "family" back into family practice. Mr Jain is a journalist and a teacher who has never wavered in advocating the values of strong cultural roots.

Shantu Maher was one of my closest friends in England as a late teen, who, from personal example, instilled in me the principles of tolerance, patience and good humour. Surviving the terror of racist persecution, she and her husband were refugees from Kenya. She turned everything negative into something positive and introduced me to the wonderful culinary art of Southeast Asian cuisine.

Vic Gupta is a young man going far, who is proud of his heritage and passionately defends justice and fights injustice.

Stien Lal was a deputy minister in a number of provincial ministries, and a highly respected leader in his community. I have always been impressed by his quiet dignity.

Kanta Aurora is an active member of AWIC, which is the Association of Women from India in Canada.

Sammy Appadurai is a very active leader in the Tamil community in my riding.

Bahaden Madhani I have known for seven or eight years. I actually came to know him as a very strong advocate for volunteers when I was the Minister of Citizenship, Culture and Recreation. He is past president of the United Way and recently received the Order of Canada.

Of course, I think most people here know Ravi Shankar as one of the greatest artists and philosophers in this world.

South Asian journalists, authors, artists and athletes represent our country and our province on the international stage, and make substantial contributions to arts, business, charitable organizations, academia and medicine. Our Premier has acknowledged and commended the South Asian community for its contributions to Ontario's economy and continuing effort in creating opportunities and founding companies that enhance economic life in our province.

As you know, I'm a great supporter and promoter of Ontario's diversity and would like to take this opportunity to applaud the very tremendous efforts of my colleague and good friend Raminder Gill and his success in bringing members of the South Asian community into the political life of this province. I am delighted that our government is once again reasserting its commitment to the conservation of culture in Ontario.

It's interesting that you will notice that most of the people who are talking between themselves and not listening to this submission are from the opposition benches.

In my own riding I have been privileged to work with organizations such as the South Asian Family Network to

preserve Ontario's rich multicultural tradition for future generations.

I believe that Ontario's diverse heritage is not only a source of pride but a source of strength, optimism and confidence that help to build a better future.

In celebrating the contributions that the South Asian community has made, we celebrate the great opportunities and uniquely diverse character of our province. Building a better future for the people of Ontario has always been the core of our government, and we have accomplished much to ensure that our province will continue to flourish. In recognizing the South Asian community as an integral part of our province, we embrace a vision of Ontario that promotes a sense of community, values and cultural diversity, and encourages the entrepreneurship, perseverance and hard work that make it the great province that it is today.

**The Acting Speaker:** Response, the member for Bramalea-Gore-Malton-Springdale.

**Mr Gill:** I want to thank all the members of the Legislature who participated in the debate this morning. They've all touched on some things I want to note here. South Asians today constitute a significant ethnic group in Ontario. Over 700,000 citizens of Ontario trace their roots to the Indian subcontinent. I know the member across said I'm very lucky to be here—I am very lucky to be here. Recently, the harder I work, the luckier I get. Some other people, like Ujjal Dosanjh, Raj Panu and Herb Dhaliwal, who is the Minister of Fisheries, also are very lucky, but they are also at the same time very hard working. We're very proud to be here. Many of the people in the IT sector—certainly it's not the lowest rung of society. South Asians are working very hard to achieve their proper place.

South Asians living in Canada have played an active role in building Ontario and Canada into the nation it is today. South Asians arrived in the Americas, as I said before, in 1838, after slavery was abolished in the British Empire. From various locations around the globe, South Asians migrated to Canada, and in particular Ontario, to live, work and raise their families.

Many South Asian Canadians, including my father, served in many wars and many of them can still trace their family heritage to their participation in one of the 17 Indian divisions mobilized by Great Britain during World War I.

Today, South Asians from around the world choose to call Ontario home. Their contributions in business, culture, sports and public service serve to enrich our province and all of our lives.

The South Asian Heritage Act, 2001, is recognition of the contributions of South Asians and a chance for children young and old to see themselves reflected in Ontario. This bill will also provide them with an opportunity to celebrate and share their culture with Ontarians. I do ask for everybody's support, please. Thank you.

**The Acting Speaker:** This completes the time allocated for ballot item number 34.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS  
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI  
SUR LA SOCIÉTÉ DE PROTECTION  
DES ANIMAUX DE L'ONTARIO

**The Acting Speaker (Mr Michael A. Brown):** We'll now revert to dealing with ballot item number 33.

Mrs Munro has moved second reading of Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will have the division following dealing with ballot item number 34.

SOUTH ASIAN HERITAGE ACT, 2001  
LOI DE 2001 SUR L'HÉRITAGE  
SUD-ASIATIQUE

**The Acting Speaker (Mr Michael A. Brown):** Mr Gill has moved second reading of Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members; there will be a five-minute bell.

*The division bells rang from 1200 to 1205.*

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS  
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI  
SUR LA SOCIÉTÉ DE PROTECTION  
DES ANIMAUX DE L'ONTARIO

**The Acting Speaker (Mr Michael A. Brown):** Mrs Munro has moved second reading of Bill 129. All those in favour will please stand and remain standing until their name is called.

**Ayes**

Agostino, Dominic  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bisson, Gilles  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Chudleigh, Ted  
Churley, Marilyn

Galt, Doug  
Gerretsen, John  
Gilchrist, Steve  
Gill, Raminder  
Hardeman, Ernie  
Hastings, John  
Hoy, Pat  
Kennedy, Gerard  
Klees, Frank  
Lalonde, Jean-Marc  
Levac, David

O'Toole, John  
Parsons, Ernie  
Patten, Richard  
Phillips, Gerry  
Prue, Michael  
Ramsay, David  
Ruprecht, Tony  
Sampson, Rob  
Sergio, Mario  
Smitherman, George  
Sorbara, Greg

Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Cunningham, Dianne  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda

Marchese, Rosario  
Martel, Shelley  
Martiniuk, Gerry  
Maves, Bart  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn  
Newman, Dan

Spina, Joseph  
Stewart, R. Gary  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Tumbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Wood, Bob

**The Acting Speaker:** All those opposed will please rise and remain standing until their name is called.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 62; the nays are zero.

**The Acting Speaker:** I declare the motion carried.

Pursuant to standing order 96, this bill will be referred to committee of the whole House.

**Mrs Julia Munro (York North):** I move that it be considered at the standing committee on general government.

**The Acting Speaker:** Mrs Munro has asked that the bill be sent to general government. Agreed? Agreed.

SOUTH ASIAN HERITAGE ACT, 2001  
LOI DE 2001 SUR L'HÉRITAGE  
SUD-ASIATIQUE

**The Acting Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 34. We will open the doors for 30 seconds.

Mr Gill has moved second reading of Bill 98. All those in favour will please stand and remain standing until their name is called.

**Ayes**

Agostino, Dominic  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bisson, Gilles  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Chudleigh, Ted  
Churley, Marilyn  
Clement, Tony  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Cunningham, Dianne  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet

Elliott, Brenda  
Galt, Doug  
Gerretsen, John  
Gilchrist, Steve  
Gill, Raminder  
Hardeman, Ernie  
Hastings, John  
Hoy, Pat  
Kennedy, Gerard  
Klees, Frank  
Lalonde, Jean-Marc  
Levac, David  
Marchese, Rosario  
Martel, Shelley  
Martiniuk, Gerry  
Maves, Bart  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn

Newman, Dan  
O'Toole, John  
Parsons, Ernie  
Patten, Richard  
Phillips, Gerry  
Prue, Michael  
Ramsay, David  
Ruprecht, Tony  
Sampson, Rob  
Sergio, Mario  
Smitherman, George  
Sorbara, Greg  
Spina, Joseph  
Stewart, R. Gary  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Tumbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Wood, Bob

**The Acting Speaker:** All those opposed will please stand and remain standing until their name is called.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 63; the nays are zero.

**The Acting Speaker:** I declare the motion carried.

Pursuant to standing order 96, this bill will be referred to committee of the whole House.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** On a point of order, Mr Speaker: I seek unanimous consent to send this bill to the justice and social policy committee.

**The Acting Speaker:** Mr Gill has asked that the bill be sent to the standing committee on justice and social policy. Agreed? Agreed.

It being past 12 of the clock, this House stands adjourned until 1:30 of the clock this afternoon.

*The House recessed from 1212 to 1330.*

## MEMBER'S STATEMENTS

### CULTURAL SUMMIT

**Ms Caroline Di Cocco (Sarnia-Lambton):** Last night I hosted a cultural summit here at Queen's Park—it was a first. A large representation from the Ontario cultural industry was in attendance. The panel of speakers included William Thorsell from the ROM, arts educator Gino Falconi, Jim Garrard from the Toronto Arts Council, David Mirvish, Jane Jacobs, radio personality Tony Monaco, Steve Ord from Alliance Atlantis, Dorothy Duncan from the Ontario Historical Society and Hennie Wolf from Visual Arts Ontario.

The summit served two purposes: to showcase the diversity and strength of the cultural industry, and to provide a forum to give a public voice to this vital and strong community.

Dalton McGuinty spoke of the value of culture and how that we, the Liberal Party, will be the new era of co-operation and will breathe a new life into our cultural industry. We understand the value of culture. The Ontario Liberal caucus is a strong public voice that believes in the tangible and intangible values of culture and heritage for our communities and our working families.

Unfortunately the neo-Conservatives seems to know the cost of everything but the value of nothing.

### OSPCA LEGISLATION

**Mrs Julia Munro (York North):** I rise today to talk about Bill 129, the Ontario Society for the Prevention of Cruelty to Animals Amendment Act, 2001. This is my private member's bill, which passed second reading today at noon. I would like to express my gratitude to all those who came out today to support my bill. I would also like to thank MPPs Norm Miller from Parry Sound-Muskoka, Doug Galt from Northumberland and Joe Tascona from Barrie-Simcoe-Bradford for taking the time to speak in favour of my bill this morning.

The issue of puppy mills is not a new one, nor is it one that is easily solved. The OSPCA estimates some 400 puppy and kitten mills are operating in Ontario. This bill, should it go through committee and pass third reading, would create a provincial offence for operating a puppy mill that does not exist today. By creating a provincial

offence for this type of operation, we would give the province the ability to crack down on these despicable business practices and not wait for the federal government to take this issue seriously. Although Bill C-15 has been tabled, there does not seem to be a lot of political will on behalf of the federal Liberals to carry forward with aggressive changes to the animal cruelty section of the Criminal Code.

Bill 129 outlines a set of standards of care for all dogs and cats. These standards of care will address the issue of long-term neglect, which is not currently in legislative form. I look forward to continuing debate on this issue and creating further awareness.

### UKRAINIAN FAMINE AND GENOCIDE

**Mr Gerard Kennedy (Parkdale-High Park):** As MPP for the area of Parkdale-High Park, I stand today to recognize and acknowledge the memory of the terrible famine and genocide that occurred in Ukraine in 1933. Ukrainian Canadians have set aside the week of November 18 to 25 to commemorate this event, as it coincides with the date proclaimed by the President of Ukraine and the statement of that country's ambassador to the United Nations.

All of us in Ontario need to remember this period. There was an unprecedented loss of population to hunger in 1933, precipitated by the actions of the occupying Soviet regime. Also lost were many of the university elite and government officials, resulting in a lack of records, but recent documentation now puts the number of people starved to death at a horrendous seven to 10 million.

This unfathomable act was deliberately hidden from view but had no less real, brutal implications for its victims, its survivors in the country of Ukraine and the many family members in Canada and elsewhere. Its occurrence is a lesson for the entire world, one that would have prevented other genocides had its existence been known sooner.

The Ukrainian Canadian Congress is to be congratulated for their work to increase public awareness of this event. I know everyone in this House appreciates the effort they are making to have this tragedy taught in our schools and to secure a permanent commemoration memorial so that the lesson is truly never, ever forgotten.

In the gallery today are 18 members of our Ukrainian Canadian community, led by Ms Mary Szkambura, and several famine survivors: Benjamin Chmilenko, Pavlo Makahon, Valentyna Podasz and Nicholas Latyshko. I ask everyone in the House to join me in acknowledging the people who are here with us today.

### BLUE LIGHT PROGRAM IN NIAGARA FALLS

**Mr Bart Maves (Niagara Falls):** I rise today to speak about a community initiative called the blue light program that began in Niagara Falls in 1998. A constituent of mine named Yvonne Zanussi contacted my office

about the program that her son learned of from the Internet, and since then she has been promoting the program in Niagara Falls.

In my riding, citizens have been asked to shine one significant blue light amid their Christmas displays in memory of police officers who have lost their lives in the line of duty. Ideally, that visible light, inside or out, will shine throughout the Christmas season.

At present, the blue light program has been endorsed by the Niagara Falls city council and the Lions Club of Chippawa, which has offered both financial support and the participation of their members.

On Tuesday, we had representatives from the Police Association of Ontario here at Queen's Park, and I believe this program is a unique way of showing tribute to their fallen colleagues.

I want to encourage all the members of this House to promote this program in their ridings. Please contact my constituency office and we will be more than happy to send any information about the program. I would like to congratulate my constituents on the initiative for promoting this program.

#### ACCESS TO PROFESSIONS AND TRADES

**Mr Tony Ruprecht (Davenport):** Yesterday evening I was invited to address Professional Engineers Ontario at their graduation exercises. Many of these graduates were foreign trained. I wish to congratulate Professional Engineers Ontario for their foresight, especially Roger Barker, the registrar, because they changed their equivalency status and criteria and they adopted an appeal process which opens the doors to qualified foreign-trained professionals.

You will remember that Dalton McGuinty and I and some of our colleagues introduced a bill in this Legislature which said, "Open the doors to professionals who are foreign trained because they have equivalency." They come from all over the world, and yet when they apply to Ontario, they find the doors are closed. We're asking this government today to open the doors.

I have personally given this Minister of Training, Colleges and Universities a number of cases to act upon. She has failed to do so. We have a list of 550 physicians who would like to appear and who would like to work in their professions and are unable to do so. Why? Because the doors are closed. They are waiting for an internship program. We know there are 30 internships today, when indeed we could overcome our problem of the shortage. We can open the doors. We're asking this government today to open the doors, because people like to work and get on with their lives.

#### FAMILY RESPONSIBILITY OFFICE

**Ms Shelley Martel (Nickel Belt):** I have received a copy of an internal memo circulated at the Family Responsibility Office and I find it very disturbing. The

memo notes that the FRO is moving back to a case management system where all the cases will be owned by a client service associate. I support this, as the Provincial Auditor, in his 1990 review of the FRO, was very critical of the lack of ownership of cases. In too many cases, no one monitored if money went out to women and children on time or took needed enforcement action.

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But the memo states, "Each client service associate will have approximately 2000-plus cases as a result of releasing all the system-owned cases to the existing group of CSAs." It further states, "We know ... at FRO" files "increase twofold every day and could have a lifespan of approximately 20 years or so." The recommendation is for the FRO to review its timelines and internal policies to see if they can realistically be met.

If this plan goes into effect without this government hiring more staff at the FRO, I can guarantee that the FRO will completely break down. No one can handle 2,000 FRO files. No one can deal with the enforcement activities for even half the files. No one can answer phones in the call centre for three hours every day and still get support payments out to women and children on time.

The Ministry of Community and Social Services must ensure more staff are hired to deal with this change. Women and children should not be put at financial risk by not receiving their support on time because of changes being made by this government.

#### ANNIVERSARY OF HMCS PREVOST

**Mr Bob Wood (London West):** I rise today to inform members of the House of the 60th anniversary of the first commissioning of HMCS Prevost, located in the great riding of London West.

London Division RCNVR was organized on August 8, 1938. In 1941, a decision to create independent commands in all shore establishments brought about the search for appropriate names. It was decided that all naval divisions would be named after ships that had served in the Great Lakes during the War of 1812. Such was the beginning of HMCS Prevost, named after HMS Lady Prevost, a schooner brig serving with the Lake Erie Squadron, so named in honour of the wife of Sir George Prevost, the then Governor General of Canada and Commander-in-Chief of the British forces in North America. The commissioning pennant was hoisted on the November 1, 1941.

During World War II, HMCS Prevost enrolled 480 officers, men and WRENS into the Royal Canadian Navy. My father served for five years in the army during that war. He joined, not because he had to but because he thought it was the right thing to do. He fought, not because he hated the enemy but to serve his country. He accomplished great things, not only because of his own skills and dedication but because he was part of a large, dedicated team. My father's attitude and accomplishments are typical of those who served through HMCS

Prevost, and it is really those people whom the anniversary celebrations honour.

Mr Speaker and members of the Legislative Assembly, please join with me in congratulating HMCS Prevost for 60 years of dedication to the service of our country.

#### JOEMAC COMMITTEE

**Mr Rick Bartolucci (Sudbury):** I rise today to inform the House about the JOEMAC committee. Most of the ministers know that the JOEMAC committee is an acronym that stands for Justice over Everything, Making Appropriate Changes. It wants justice to be balanced. It's asking that Clinton Suzack and Peter Pennett be returned to maximum security. It is the voice of the MacDonald family, the Sudbury community, now the Police Association of Ontario, our own city council and our chief of police. We are asking—no, we are demanding—that Lawrence MacAulay, the Solicitor General of the government of Canada, meet with the JOEMAC committee and meet with the family so that we can tell the Solicitor General directly exactly what we want of him and of our government.

This is not a partisan political matter. This has everything to do with justice. This has everything to do with sending out a strong signal to society that community safety is everyone's concern.

I call on the Ontario government to provide the JOEMAC team with resources. Provide us with those avenues that you have in order to help convince the federal government and the Solicitor General that indeed he should meet with the MacDonald family and with the JOEMAC committee.

#### BOWMANVILLE SANTA CLAUS PARADE

**Mr John O'Toole (Durham):** I rise in the House today to recognize the Bowmanville Santa Claus parade on its 40th anniversary. Since its inception, this parade has followed a strict tradition of being non-commercial. This is a parade that represents only the customs of fun, fellowship and of course the traditional visit of jolly old Saint Nick.

Indeed, the Bowmanville Santa Claus parade is one of Ontario's largest, non-commercial Santa Claus parades. Yet, each year more than 100 business organizations and individuals generously donate to the parade committee. Each year since 1961, service clubs, schools, churches, bands, youth organizations and community groups bind together to form a great parade committee.

I'm pleased to report that the perfect weather indicated on the 40th anniversary resulted in the largest turnout in many, many years, and children from all ages watched Santa arrive to the festival of music.

I'd like to congratulate the parade committee chair, Valerie Gardiner, and members Sharon Smith, Roger Leetooze, Susan St John, Valerie McCormick, Stacy Belanger, Greg Belanger, Betty Irving and Rob Flynn.

They were assisted by literally scores of volunteers and hundreds of marchers who played instruments and built floats. But more specifically, I want to recognize and congratulate the St Elizabeth elementary school for their "Winter Wonderland" float, which won the gold prize. I'd also like to thank my driver, Andy Hendricks.

This Saturday, Scugog township will have their parade. I invite everyone to Port Perry to enjoy the parade.

#### VISITOR

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** On a point of order, Mr Speaker: If I may bring to the attention of the House and indeed to all members of the gallery visiting today—our guests from the Ukrainian community, our multi-culturally represented children in the gallery—we have a very special guest in the House. This is one of the youngest MPPs ever elected to this Parliament, the son of Ukrainian-born immigrants, the member for Bellwoods between 1951 and 1975, the first-ever Minister of Citizenship for our province, the first-ever Minister of Social and Family Services and the first stand-alone Solicitor General, who was responsible for bringing in the human rights legislation to our province. Ladies and gentlemen, please join me in welcoming the Honourable John Yaremko.

**The Speaker (Hon Gary Carr):** I thank the minister for bringing that to our attention.

#### INTRODUCTION OF BILLS

##### CITY OF TORONTO ACT (RENTAL HOUSING UNITS), 2001

Mr Bryant moved first reading of the following bill:  
Bill Pr22, An Act respecting the demolition of rental housing units in the City of Toronto.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I seek unanimous consent to put forward a motion regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Ecker:** I move that notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr

Bradley and Mr Colle exchange places in order of precedence, such that Mr Bradley assumes ballot item number 55, Mr Colle assumes ballot item number 37, and that the notice requirement for ballot item number 37 be waived.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

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### ORDER OF BUSINESS

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, with agreement from the Liberal and NDP House leaders, I believe we have all-party consent to move a motion regarding the terms of this afternoon's debate.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed? Agreed.

**Hon Mrs Ecker:** Mr Speaker, with the unanimous consent of all members of this House, I move that G109 be called as the first order of the day this afternoon, that the time for debate shall be divided equally, and at the end of debate today the Speaker shall put the question on third reading and the vote may be deferred.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

### STANDING COMMITTEE

#### ON FINANCE AND ECONOMIC AFFAIRS

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, I believe we have unanimous consent to move a motion respecting the finance committee consideration of Bill 125. This concerns the advertising.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed? Agreed.

**Hon Mrs Ecker:** I move that the standing committee on finance and economic affairs be authorized to advertise its intent to hold public hearings in Ottawa on Friday, November 30, 2001, respecting Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts, notwithstanding that the House has not yet decided second reading of the bill.

**The Speaker:** Mrs Ecker moves that the standing committee on finance and economic affairs be authorized to advertise its intent to hold public hearings in Ottawa on Friday, November 30, 2001, respecting Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts, notwithstanding that the House has not yet decided second reading of the bill.

Is it the pleasure of the House that the motion carry? Carried.

### HATE CRIMES

**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Mr Speaker: I'm seeking unanimous

consent to move a motion. This is an urgent matter which relates to the federal justice minister's statement yesterday that she is willing to protect gays and lesbians from hate crimes if the provinces agree. She intends to deal with this next week.

The Ontario government is already on record supporting this move. Almost exactly two years ago, on November 15 in this House I asked the Premier to join with me in calling on the federal government to amend the Criminal Code to protect gays and lesbians from hate propaganda. The Premier agreed and a joint letter was sent to the Prime Minister and the federal Minister of Justice.

I am seeking now unanimous consent of this House to urge Justice Minister Anne McLellan to move promptly to make it an offence under the Criminal Code to commit hate crimes against gays and lesbians.

**The Speaker (Hon Gary Carr):** The third leader has moved unanimous consent. Agreed? I'm afraid I heard some noes. Sorry.

*Interjections.*

**The Speaker:** I'm sorry. The members might not have heard. It was very clear. I did hear a no, unfortunately.

### ORAL QUESTIONS

#### VICTIMS' RIGHTS

**Mr Michael Bryant (St Paul's):** My question is for the Attorney General. On Thanksgiving Day, 2000, Michael Tilley was killed outside of a grocery store on St Clair Avenue West. He suffered from depression. He was homeless. He sold the Outreach newspapers on the street. The killing was like all killings: it was meaningless. Incredibly, it was caught on videotape. We now know what the sentence was, as the result of a plea bargain agreed to by the crown. The sentence was on the minimal side of what lies within the sentencing guidelines.

My question is with respect to the victim's family. They're here in the gallery, the family of the victim Michael Tilley, themselves victims: Christine, Edward and Gerry.

Minister, they say that the administration of justice treated them like it was some kind of a fast food industry. They say they have no closure. They say they received no meaningful input. What do you say to these victims of crime in the members' gallery today?

**Hon David Young (Attorney General, minister responsible for native affairs):** The first thing I say is that my sympathies and the sympathies of all in this Legislature are with the family in this tragic and senseless loss that they experienced.

I go on to say that crown attorneys each and every day across this province make difficult but necessary decisions. They make those decisions based on the facts that exist in any particular case and they make those decisions based upon the precedents that have been developed over years. They make those decisions with the interests of

justice being paramount in their minds, and where there is a plea bargain they present that settlement proposal, that resolution, to the judge, who then has a difficult decision as to what to do about the sentence. Of course, there is discretion left there.

In this instance, my understanding is this matter was placed in front of a very experienced and very well respected judge, and undoubtedly he seriously considered the matter at issue and ultimately made the ruling that he did.

**Mr Bryant:** I'm not talking about what the judge found. I'm talking about the way in which your justice system treated these victims. The whole purpose, as you know, of the victims' rights movement was to recognize that the victims were being revictimized, that people were not getting access to decisions, that they weren't getting the opportunity to provide meaningful inputs, that victim impact statements were paper tigers, that they were useless, that they weren't being encouraged or assisted.

The story that I heard today from these victims is a horrifying story if it is an indication of the justice system that persists today, despite all these promises from your government to in fact restore victims' rights.

They met with the crown for the first time and had some questions about the status of the case, wanted to know some facts, wanted to know about what the crown was going to do. Your attorney didn't bring any paperwork with him and so he didn't have any answers for them.

Victim impact statements—mandatory; provision of information to victims—mandatory; recourse for violation of victims' rights—we have called for that through private members' bills on this side of the House. Will you agree to these new victims' rights so that some good can come out of this revictimization today?

**Hon Mr Young:** The member opposite undoubtedly knows that this government has done more to entrench and enhance the role of victims in court cases than any other government has ever done in this province or across the country, and that includes the Liberal and NDP governments when they were in power.

If the member opposite is suggesting to me that he has some ideas—ideas that are constitutional, by the way, because, with the greatest respect, many of his proposals today clearly are not constitutional, clearly would not withstand any sort of challenge, a challenge that would undoubtedly be mounted at first instance. But if he has some constructive, reasonable suggestions, I'm always happy to sit down and talk with him about those or any others that may come from the opposition ranks.

**Mr Bryant:** Attorney General, you say that your government has done things for victims of crime. I'll tell you, the Tilley's disagree with you. Don't tell them that this government has assisted them. When they put together their victim impact statement and provided it to the crown—and I find this unbelievable; it's incredible, but it happened—the crown said, "It's too late. The deal is done. The plea bargain has been struck. Your victim impact statement is going to have no statement."

They said the defence counsel treated them better than the administration of justice. This is how they feel. This was their experience. The point of the victims' rights movement was to leave victims of crime feeling that our justice system was working with them, that they weren't being marginalized, that they weren't an afterthought.

In the name of ending horror stories such as this, you've got to listen to this, Attorney General. Will you agree to meet with this family and hear their story and tell them why it is our victims' justice system is working in Ontario today? Will you agree to a meeting with them?

**Hon Mr Young:** First of all, the member opposite is trying very hard to make this very serious issue a political football. I'm trying very hard not to.

Let me be very clear. When it comes to protecting victims' rights, no government in this province or across this country has done more than this government has done. I have said to the member opposite and to others in this Legislative Assembly that if someone has constructive ways to suggest to us as to how we can do things better, I'm always open to those suggestions. If the family wishes to arrange a meeting to talk about their experiences, not with a view to changing the most unfortunate occurrences that have happened before, I'm always open to hearing from others.

1400

#### OSTAR INITIATIVE

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is for the Acting Premier. The first round of OSTAR directed municipalities to apply for funding for projects that would enable them to comply with the new drinking water protection regulation. The deadline for submitting applications was January 31, 2001, and that's almost a full year ago. Many municipalities in my riding have contacted me repeatedly about the fact that they have not heard anything from the ministry about the status of their applications to upgrade their water treatment systems.

Municipalities are bound by law to comply with the new drinking water regulations and many of the small municipalities do not have the resources to go ahead and do the work that needs to be done. Minister, when will the ministry get its act together and provide the funding municipalities so desperately need to ensure safe water for their communities?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I agree with the honourable member that this is indeed a priority. We have been working with the communities and with the federal government to make sure these projects can proceed forthwith, where final deadlines and final decisions will be released shortly. We appreciate and share the emphasis on the priority here. I would hope the honourable member would share with me our interest in due diligence, as well, to make sure things are done appropriately.

**Mrs Dombrowsky:** Minister, members of your own government would disagree with your statement that you

consider this a priority. Your member from Bruce-Grey-Owen Sound has stated in the Kitchener-Waterloo Record that the ministers at Queen's Park are dodging questions about the almost non-existent rate of approvals for applications under the fund for water treatment. He went on to say, and this is his quote, "If I was the reeve of my own township again I'd tell the province to go to hell. That's all you can do. They don't have the money and they're not going to do it."

What is most disturbing about this advice is that it is coming from the member who represents Walkerton, where seven people died from drinking unsafe water. Have you not learned from this tragedy? Minister, how much longer will you make municipalities wait for the money they need to make their drinking water safe?

**Hon Mrs Ecker:** With all due respect to the honourable member, no one is sitting around making people wait for the fun of it. We have advised the municipalities that have submitted applications to OSTAR. They're being informed that the province will provide a one-third contribution toward the eligible costs of all the successful applications under OSTAR, round one, including for projects that have already been announced. That current commitment emphasizes that health and safety are indeed, as I said earlier, a high priority.

We've already announced our commitment of support to approximately 190 municipalities to help cover the costs of the engineering studies required to meet the tough new drinking water regulations, the new standards. I might also point out that we're going to contribute two thirds, the entire senior government's share, of the eligible costs of preparing the mandatory studies under the drinking water protection regulation.

We finally got the federal government to agree to match us, to provide a one-third contribution toward the eligible costs—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

**Mrs Dombrowsky:** Minister, the municipalities had their proposal to you a year ago. They are still waiting. For you to stand in this Legislature and talk about what you will do is cold comfort for their immediate needs right now. This is a matter of priorities. You know your government is looking to cut another \$5 billion and we know what your priorities are. They are a \$2.2-billion corporate tax cut and a \$500-million education voucher.

Municipalities are upset that they have been made to wait and they are now worried the pending cuts will mean the money they need will never flow. They are worried, we are worried and Ontarians are worried that you have put a \$2.2-billion corporate tax cut to your friends ahead of protecting our drinking water. Municipalities need the money now.

Minister, will you tell Ontario's working families when the money is coming to protect their drinking water?

**Hon Mrs Ecker:** With all due respect to the honourable member, perhaps she should worry about where Ontario's working families are going to work, because if

we don't take the steps that we are taking through slashing red tape, balancing the budget, personal income tax cuts, cuts to small and medium-sized businesses, if we don't do those things, they won't have any jobs. We worry about Ontario's working families having jobs. The honourable member across the way obviously doesn't.

Secondly, we are going to live up to the commitments we made on Ontario water protection because this government has a record of doing what we said we would do. The honourable member should be more worried about her leader, who wants us to take \$100 million out of our capital infrastructure projects and spend it on security, to cut \$100 million out of water and sewer, provincial highways, hospital construction. I would be more worried about your leader, madam, than I would about the record of this government on keeping its promises.

### VICTIMS' RIGHTS

**Mr Peter Kormos (Niagara Centre):** I have a question to the Attorney General. Today is National Housing Strategy Day. There are thousands of homeless people here in the city of Toronto. Over the last two years, 74 homeless people died on our streets; five of those people were murdered. One of them was Michael Tilley. But in his case, the murderer was caught and charged with second-degree murder as the result of compelling evidence that had been gathered by very hard and arduous work by members of the Toronto homicide squad.

Your crown attorney, just this week here in the city of Toronto, participated, collaborated, in a plea bargain that dropped the charge of murder in what was a brutal and vicious attack and permitted a plea to manslaughter. Can you explain why your crown attorney, in possession of such compelling and strong evidence, would accommodate that kind of plea bargain?

**Hon David Young (Attorney General, minister responsible for native affairs):** I'm going to say one more time, because it's worth repeating, that our sympathies are certainly with the family of the victim.

The member opposite talks about a guilty plea that was entered into and presented to the presiding judge. As I indicated earlier, the judge in this case happens to be one of the most respected criminal jurists in the country. I say to you that the crown attorney gave serious consideration to the facts that were available, as every crown attorney must do. The crown attorney considered the precedents that existed, the likelihood of succeeding with a more serious charge, the consequences of not succeeding if they went forward with a more serious charge, and ultimately the crown attorney presented the plea bargain to the judge. The judge has certain discretion in that regard, particularly in relation to sentencing, and ultimately the judge thought this was appropriate in the circumstances.

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**Mr Kormos:** The judge had no discretion about the plea bargain. That was the decision of your crown

attorney, and the decision of your crown attorney only. This murderer of homeless Michael Tilley was as brutal as any murderer could be. Not only were there witnesses, but the vicious murder was recorded on a security videotape. I'm going to make sure you get a copy of that tape before the day is over. The videotape demonstrates the murderer, after Tilley is knocked to the ground and lying still, jumping up and down with both booted feet, smashing this man's head to a pulp.

If that's not murder, Attorney General, please tell us what is, because it wasn't enough for your crown attorney, who withdrew the murder charge, reducing it to manslaughter. Your crown attorney collaborated in the joint submission on sentencing. Your collaborator joined with the defence counsel in a joint submission that resulted in a sentence of but six years. You know that brutal, vicious murderer is going to be out on the streets in no more than four. Is that all that a homeless person's life is worth to you?

**Hon Mr Young:** I'll say again what I said to the Liberal member. It is most unfortunate to turn this very serious matter into some political game. It is not. It is a very, very serious matter.

It's interesting that the Liberals and the New Democrats opposite stand up on every occasion they can and talk about how important it is to respect crown attorneys and how important it is to respect judges. In fact, the member who asked the question just a moment ago said in this very Legislature, "Crown attorneys independently make their resolution decision and judges independently make or approve sentencing decisions based on facts and information that the public may or may not always have access to." He encouraged members of this Legislature on that occasion, when it was theoretical, to respect crown attorneys and respect judges. I would ask him on this occasion to afford the same respect to those hard-working individuals who are trying to make the streets of this province safer.

**Mr Kormos:** Look, Attorney General, I wish you'd be more concerned about the state of the administration of criminal justice here in the province of Ontario. We have raised case after case of despicable plea bargaining by your crown attorneys under your watch. Michael Tilley was five feet four inches tall. He weighed 140 pounds. His head was smashed to a pulp until he was dead, lying on the asphalt of a supermarket tarmac, and that was recorded on videotape as well as being witnessed by more than one eyewitness.

You talk tough on crime, but the reality is that your crown attorneys in this case bargained away yet another man's life. Why aren't you letting the judges try the cases? I do have regard for our judges. Why wasn't this case put to the judge for trial so that that judge could determine the facts and determine the appropriate offence, which there should have been a conviction of? Why are your crown attorneys proposing the kid glove treatment that we witness here for vicious, dangerous and brutal murderers? Tell us, Attorney General. Tell the siblings of Mr Tilley sitting there now.

**Hon Mr Young:** Once again we have the member opposite trying very hard to gain political points on a matter that he should know better than to approach on that basis. I will say to you, Mr Speaker, what the member opposite said to you and to this assembly on a prior occasion. Here's what he said: "Do I, like any other member of the public when we read the reports and when we observe these things from a distance, agree" with every sentencing decision? "Of course not. Am I in possession of all the facts? Similarly, of course not," he says.

The member opposite is prepared to take a piece of evidence, to consider it and then to decide what is just and what is not. He is prepared to discard the thoughts and the concerns of the crown attorney to ensure that there is a conviction in appropriate cases for an appropriate charge. That is irresponsible and he should know better.

## ONTARIO POWER GENERATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy and it's about the millionaire club he has created at Ontario Power Generation.

Yesterday we learned that Ontario Power Generation executive Mr Graham Brown will receive \$1 million if he decides to leave the company in the year 2003. But Mr Brown is not the only member of the millionaires' club. Chief executive officer, Ron Osborne, will receive at least \$1.75 million if he decides to leave Ontario Power Generation, and potentially more than \$3.5 million.

Minister, at a time when you are forcing Ontario consumers and Ontario industries to pay more for their own electricity, can you tell us how you justify this millionaires' club at Ontario Power Generation?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** The honourable member need only look back during his time in government to discover that there are fewer people in the millionaires' club at Hydro than during the time the NDP or the Liberals looked after Ontario Hydro. At the same time, they didn't do anything to improve the old Ontario Hydro; in fact, they continued to rack up a debt to a staggering amount of \$38 billion, which we're all paying for today.

In terms of Mr Osborne's salary, that was fully disclosed and made public as part of a public search process that we went through to steal Mr Osborne, at the time, from BCE. He made significantly more money at Bell Canada Enterprises. Indeed, at that time all members of this Legislature rejoiced with the government in getting Mr Osborne to come to Ontario Hydro, now its successor company, Ontario Power Generation, to bring his significant expertise, both at Maclean-Hunter and Bell Canada; to come at a bargain-basement price, frankly, and to lend his expertise to a public company like Ontario Power Generation. I'm glad we have him and I fully support him as CEO of our corporation.

**Mr Hampton:** The Minister of Energy ought to know that it was a Conservative government that built Darlington at \$15 billion and built other nuclear stations at \$10 billion and \$7 billion. That's where the debt of Ontario Hydro and Ontario Power Generation comes from. It comes from former Conservative governments.

But the question was about the millionaires' club. You say that Mr Osborne is a steal. The former president of Ontario Hydro, Mr Kupsis, was paid \$502,000 a year, yet since you've set out on this road to privatization, the only thing we've seen is sweetheart deals for your corporate friends like British Energy, which are recorded in the press, higher electricity rates for the consumers and industries of Ontario, and your new millionaires' club, who get paid \$1.5 million, in Mr Osborne's case, and potentially \$3.5 million when he goes out the door. And you call that a steal for ratepayers and taxpayers.

How do you justify this? Bay Street says that British Energy ripped you off on the Bruce Power deal, that they got it for a song, which is why the valuation of their shares has gone up. Electricity consumers and industries across Ontario are paying more, and you've got these executives at Ontario Power Generation who get paid millions of dollars—

**The Speaker (Hon Gary Carr):** Order. The member's time is up.

**Hon Mr Wilson:** The honourable member mustn't forget that in 1992, when his government ousted former president and CEO of Hydro Al Holt, they gave him \$2 million in a severance package.

At this point, no one's getting anything in terms of a severance package. These conditions of employment only kick in if certain things happen. Those decisions have not been made. Right now, we're looking at executives who are far more skilled, found on worldwide searches, far more talented, have a proven track record of turning around the corporation, of bringing record profits and dividends to the people of Ontario who own that corporation, paying down the massive debt that was left by the NDP government and the Liberal government—some \$38 billion. We have not given anyone the \$2-million exit package that they gave Al Holt in 1992.

I could go on and on, depending on the level of punishment the honourable member wants to receive today, because every one of their million-dollar people actually got the money. None of ours got the money, they're likely never to get the money, and they're doing a hell of a good job on behalf of the people of Ontario at Ontario Power Generation.

#### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have a housing question for the acting Premier. Minister, today is National Housing Day. I was expecting a big announcement from you and your government regarding next week's federal-provincial housing ministers' meeting in Quebec City. But, as usual, when it comes time to show leadership during a housing crisis, your government fails to deliver.

I'm hoping, Minister, that on behalf of your government, you'll be willing to take the first steps toward making a true commitment today. The federal government is showing leadership and is offering significant money to get affordable initiatives started. What they need is for you to do the same.

Tell us today that your colleague minister will be going to Quebec City with a cheque book in hand. Will you commit to match the federal money with new provincial dollars?

**Hon Janet Ecker (Minister of Education, Government House Leader):** With all due respect to the honourable member, we don't need to go with cheque book in hand, because we have money already out there providing assisted housing, shelter subsidies, mental health housing, building long-term-care beds for seniors and people who need housing as well, so we don't need to go with any new cheques.

But I am also surprised at the honourable member's question, because if he had listened to what was happening at that meeting, the provincial and territorial ministers together had requested that the federal government increase federal dollars for affordable housing to go beyond the proposed \$12,000 per unit. They also asked, where housing stock was in danger of being lost, that renovations be allowed and that the provinces be allowed more flexibility with respect to provincial contributions.

1420

The federal minister undertook to review those legitimate requests from all the provinces and said he would get back to us at the end of November at the meeting in Quebec City. So I'm surprised the honourable member doesn't want to give his federal cousin the opportunity to respond to legitimate questions from the provinces.

**Mr Caplan:** Minister, anyone who cares about housing in Ontario wouldn't be surprised by your answer. Every time your government has been pressed to show leadership, all you offer are excuses and finger-pointing.

I'd like one of the pages to come over. I have a petition from 650 people in Ottawa. Their plea to you is simple: "We ask the Ontario government to treat this matter as an emergency. We must have safe and adequate and affordable housing now. It is imperative."

Minister, don't pretend that taking weak measures and recycling other people's money are housing strategies. They aren't. It's obvious that you're not willing to enter a partnership toward a national affordable housing program, but I know someone who will. A Dalton McGuinty government will be a full partner with the feds. Ontarians know that real leadership means working together and pulling your weight for our working families.

So let me ask you this, Minister. We have municipalities around this province desperate to access federal dollars. Will your government be standing in their way? At a minimum, will you let Ontario municipalities deal directly with the federal government on a national housing plan?

**Hon Mrs Ecker:** I know there are some within the federal party who like their Liberal cousins here to say

that all the problems with federal-provincial relations are because of Ontario. This government doesn't believe in signing blank cheques. This government believes in doing agreements with the federal government in a whole range of areas that protect the interests of Ontario residents.

If the honourable member is telling us that Dalton McGuinty is prepared, when the federal minister says, "Jump," to say, "How high?" without any consideration for Ontario's interests, then he should say that. But on this side of the House we were elected by Ontario citizens to make decisions in their best interests. That is exactly what my colleague the Minister of Municipal Affairs and Housing will be doing when he meets with his colleagues, when he meets with the federal minister and when the federal minister responds to legitimate requests from the provinces in this country.

### ONTARIO'S LIVING LEGACY

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Natural Resources. I understand that today is a very important day for Ontario's Living Legacy, an act of will by this government, the environmental community and the forest industry that created more parks and more protected areas with the stroke of a pen than at any other time in Ontario's history.

We hear so much talk from the opposition about what they might do environmentally and they criticize us, but they're totally devoid of any good ideas.

Minister, what were the original goals of the Ontario Living Legacy, and how did it happen?

**Hon John Snobelen (Minister of Natural Resources):** I thank the member for Northumberland for such a reasoned and important question today in this chamber. In fact, I'll remind the members here that under my predecessor in the ministry we began a process called Lands for Life, which was the largest-ever consultation with the public on public land use in the province. When those reports were received, we worked together to build a coalition, an accord, that reached beyond the recommendations and in fact added 378 new parks and protected areas to the landscape of Ontario, some six million acres of additional parkland. That brings the total area of protected land in the province to 23.5 million acres, a size, I am told, that is equal to 11,900,000 CFL football fields or—and I know you'll be interested in this, Mr Speaker—17,800,000 NFL football fields. That's our record.

**Mr Galt:** Thank you very much, Minister, for that answer. The Ontario Living Legacy has produced powerful results. But, as I remember, it didn't just stop there. If memory serves me right, it was almost a year ago today that the Premier expanded Ontario's Living Legacy beyond its original mandate, right down into southern Ontario.

I also remember several other programs, such as the protection of species at risk—something the federal

government hasn't done much about—youth employment programs and new protection of ecologically sensitive lands, were brought under the protective umbrella of Ontario's Living Legacy, making it the most comprehensive natural heritage program in provincial history. Minister, can you tell us what you're doing to mark this occasion and what progress has been made?

**Hon Mr Snobelen:** I thank the member for the question. He's quite right. It was almost a year ago when the Premier expanded the Living Legacy into southern Ontario. Today I had the opportunity to bring together the parties that helped us build this incredible legacy for future generations—people from the environmental community, the forestry community, the mining community—the folks who helped us in this very large consultation. We had a thing we called a Checking in on Legacy day and we were able to report to those partners, as I report to you now today, that we have regulated almost a third of the 378 new parks and protected areas, that we've invested more than \$10 million to acquire over 3,000 acres of very sensitive land in southern Ontario, that we've created more than 4,000 natural resource stewardship jobs for young people across the province and that we have implemented recovery plans for some 24 species at risk.

It's been a win-win. It's been a record of building an accord and building a legacy for future generations.

### EDUCATION TAX CREDIT

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is for the Minister of Education. The question is on your plan to proceed with the tax plan for supporting private schools. This is a major move that in our opinion will have a profoundly negative impact on public education. The Economist magazine has said it's far more radical than anything yet seen in the US. In a letter your ministry sent to me on July 6, you indicated that you had two studies prepared that analyzed the impact this plan would have on public education, but you refused to make them public. Will you today, recognizing how important this move is to public education, agree to make public these two studies you had prepared that dealt with the impact of the tax credit on our public education system?

**Hon Janet Ecker (Minister of Education, Government House Leader):** This government's commitment to public education remains our first and top priority, as it always has been. That's one of the reasons we've increased funding for public education the last several years. Secondly, this government, we on this side of the House, also respect parental choice. That's what the tax credit, when it starts, will be doing. The honourable member is well aware we've been consulting about what kind of accountability regulations to put in place for the tax credit. If and when those decisions are made, we'll certainly be prepared to share them with the House. But we've been very clear that our priority for public education will not be touched by any decision around independent schools that respects parental choice. Ob-

viously the honourable member has a problem with respecting parental choice.

**Mr Phillips:** I asked a very simple question. You had, at taxpayers' expense, two studies prepared that indicated what impact this plan will have on public education. That's your job, to protect public education. On July 6 your ministry sent me a letter saying that you've got the studies but you refused to make them public. Since then I've been trying to get that information for the public. So I say to you, Minister, in a very few weeks we are going to embark on a brand new plan to spend at least \$300 million—in my opinion \$500 million—on private schools that will have a profoundly negative impact on public schools.

The question was very simple: will you today agree to release to the public the studies you had prepared and dealt with secretly, behind closed doors, that indicated what impact this plan will have on public education in Ontario? Will you agree to make those two studies public, Minister? It's a simple question. Please give us an answer.

**Hon Mrs Ecker:** This government is not doing negative things, things that are going to impact on public education, because that has been and continues to be the priority of this government. The public education system is a very important support for our economic prosperity and it's a very important support for our quality of life, so this government will continue to put a priority on public education and, at the same time, respect parents.

The honourable members on the other side of the House like to about parental choice, but their respect for parental choice is only if the parent chooses what they think is right. Only if the parent agrees with the Liberal Party do they respect parental choice. Well, on this side of the House, we think that parents have a say, have a role. We're prepared to do what we said and respect that parental choice. That's indeed what we are doing.

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### CORRECTIONAL FACILITIES

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Correctional Services. Minister, I've been reading in the papers over the last few days about an inmate who was sent to court by correctional staff at the Toronto Jail. Apparently, the staff at the jail sent the wrong inmate, who shared the same last name with another individual being held in the same jail, to court for his appearance. As a result, the individual was incorrectly set free by the courts. Can you tell this House how this could have happened?

**Hon Rob Sampson (Minister of Correctional Services):** The member for Simcoe North has taken a very serious and informed interest in the area of corrections, and I appreciate his interest. The matter he is referring to, of course, is a very serious matter, because public safety is this government's top priority. I want to assure the member and members of this Legislature and the people watching today that the police were called immediately

when we were informed of this improper release at this facility, because improper releases at any facility, whether it be the Toronto Jail or any one of our facilities across the province of Ontario, are totally unacceptable.

Now, despite the fact that the ministry has about 80,000 admissions to corrections throughout the year, frankly, any release and one release is far too many. As it relates to these improper releases, I want to assure the people listening and watching today that the appropriate authorities were called and investigations have been started by both the police and the corrections ministry about this matter.

**Mr Dunlop:** Thank you very much for your response, Minister. As you know, the new jail in my riding of Simcoe North, operated by Management and Training Corp of Canada, is in the process of admitting inmates. There's also been a lot of media attention to the jail and an incident that took place there last Saturday. Media reports suggest that there was a disturbance involving approximately 20 inmates and there was some damage that occurred to the facility.

Many critics of the new jail, including members opposite, are suggesting that already the private operator is showing signs that they are possibly unable to manage this new institution. The question being asked by them is, if the new operator is unable to manage a small number of inmates, how will they perform when the jail is at full capacity? Can you respond to this, please?

**Hon Mr Sampson:** I thank the member for Simcoe North for the question. Indeed, it is a good question. We believe that the operator of that particular facility demonstrated their capability by managing that situation effectively and efficiently.

I want to assure the members listening today and those watching through the cameras that, unfortunately, incidences do occur in our correctional facilities, whether they're publicly run or privately run. In fact, we had an institution in Peterborough completely damaged as a result of the rioting of eight inmates.

**Hon Chris Stockwell (Minister of Labour):** Eight?

**Hon Mr Sampson:** Yes, it was eight. I want to say to the member for Simcoe North that the incident that occurred was simply 20 inmates being brought into that institution on a new basis, and they were doing exactly what, frankly, we'd expect that they would do. They tried to test the limits of the management of that institution and the limits of the rules, but rules were followed and procedures were followed. The institution is now being safely managed and run.

### AFFORDABLE HOUSING

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Acting Premier. Minister, I heard your blah-blah answer in response to a housing question earlier on. What I want is some sincerity in the answer that you're about to give me, please. What we have on our hands is a housing crisis. We need affordable housing; we need it. There are 200,000 tenant households that pay more than

half of their income on rent. We've got a problem on our hands, and people look to you, the housing minister and the Premier, to help. They're looking to the province to reach out, to somehow create affordable housing. They're looking to you for help.

The question to you is, will you be a legitimate, sincere partner and put some money on the table in Quebec City?

**Hon Janet Ecker (Minister of Education, Government House Leader):** This government takes very seriously the concern for those who do not have the shelter that they, either as individuals or as families, need to have. It is an important priority. That's one of the reasons we've been working with our colleagues, the provinces, one of the reasons we've been prepared to work with Ottawa to come up with an arrangement that does have federal money on the table, that does have provincial money on the table, that respects the fact that many provinces have differing kinds of programs in place. And I think the federal government needs to respect that.

The federal minister said that he would look into the concerns the provinces have and he will get back to them at Quebec City. So I think we very much need to respect that, get the answer from the government, because after all, they need to be part of the solution here as well. They want to have money on the table. We have money on the table. We need to move together so we can solve this problem for those families and individuals who do—

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary?

**Mr Marchese:** Minister, here's the problem. You say that this issue is important to you. Then you argue different provinces have different ways of achieving this goal. Now, I understand the language, but here's what I understand. The feds are willing to put up money. They promised the money; it's on the table. What I know is, you're not putting a cent in. What I know, and what a whole lot of people in Ontario know, is that you have got rid of rent control and you introduced something else, you got rid of all the social housing that was being constructed by New Democrats in the past, and you promised—at least M. Leach, the former Minister of Housing, promised that when you got rid of rent control, there would be 10,000 units built. There are no units being built. The private sector is not doing it. You're not doing it. You say it's an important priority for you, but nothing is happening. You're letting ideology get in the way of constructing important affordable housing that's desperately needed.

My question to you, Minister, is this: are you going to build some housing or are you going to let your ideology leave people freezing outside?

**Hon Mrs Ecker:** On this side of the House, what drives this government is effective solutions, common sense solutions that respect the taxpayers' money, that respect the fact that for many issues, like housing, municipal, provincial and federal governments are required. If we want to talk about ideology, I'm very surprised that the honourable member would raise the question of policy driven by ideology. The NDP government's housing

record—let's look at their billion-dollar contribution to affordable housing in this province: \$300 million for consultant fees, \$550 million for architectural fees, \$50 million for legal fees. And where was the unit at the end of it? It didn't show up.

So with all due respect, I appreciate the honourable member's concern. We on this side of the House are working with the federal and municipal governments. We understand there is a problem. The federal and municipal governments have a great deal more that they can do as well. We are prepared to—

**The Speaker:** The minister's time is up. New question?

### SPECIAL EDUCATION

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. Minister, I want to ask you about what you're doing to special-education students around this province.

Your ministry is now collecting paperwork—paperwork they're requiring for the fourth time in five years on every one of 24,000 special-education students around the province.

Here's what hundreds of parents, teachers and school board officials are telling us: they're telling us that they're spending so much time doing paperwork, they haven't been able to spend any time in the classroom. That's what they're saying in Dufferin-Peel. In greater Essex, they're saying, "Our learning support teachers are now not able to assist in assessing students or helping in regular classrooms because they have to research and fill out forms to apply for grants for special-education students." At Emma King Elementary School in Barrie they're saying, "We are swamped and we are drowning."

The neediest students in this province are being hurt by a system of waste that you put in place, \$80 million-worth of paperwork. Will you stand in this House and say that you will reduce this burden immediately and restore that teaching time to the students who need it?

**Hon Janet Ecker (Minister of Education, Government House Leader):** We have indeed recognized the need to shorten the process for identifying exceptional students, students with special needs in education. For example, fully a third of special-needs students this year did not need any special assessment, did not need any special paperwork, because the boards had done their job. Those students had been assessed. Those students were receiving the services that they should be getting.

So step by step we are improving the system for special needs through a 17% increase in funding, through program standards that will make sure the programs that are being offered to our special-needs students are what they should be getting, through making sure that parents are involved as well through the development of the individual education plan for special-needs students. These are all important steps. They reflect the advice we've received from all of our education partners. As the honourable member knows, since he goes on about this in estimates all the time, we have made and will continue to

make improvements to special-needs education in this province, because it's very important for those children to get the support—

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**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary.

**Mr Kennedy:** That is a completely perverse answer to the parents in this province who have had the learning of their children robbed by a system that is based on your need to cut. Let me just quote you a teacher at Western commercial school. It says, "The ISA assessment system seems to be a way of making individual teachers, students and parents go through the process of pushing paper, only to find out very few students even qualify. This is just another way of cutting funding to special education." That's what is happening to students around the province.

We sat down recently, Dwight Duncan and other members from the Windsor area, with a roomful of parents who had one thing in common: their children were learning before you put this system in place, and now they've had the supports taken away.

Minister, I warned you and I asked you and I pleaded with you in estimates to do something about this. Instead, you're putting the most vulnerable students in the province through this again. Will you stop this process? Will you stop being responsible for taking away what principals in this province have pegged as \$80 million worth of support to the most—

**The Speaker:** The member's time is up. Minister?

**Hon Mrs Ecker:** Let's be very clear what the honourable member is asking. He's saying let's take away program standards so that parents will know what the expectations are, so that school boards will know what they should be providing to students so we can have programs that best reflect the needs of students. That's what he's saying: let's take away program standards, let's take away the work around individual education plans. Individual education plans are what we do between the parent and the teacher and the principal to plan for the student's needs that year. He's saying let's take that away. He's saying let's take away any kind of assessment process.

So what is the Liberal Party proposing? We should just hand out the money regardless of whether a student has special needs or not? On this side of the House, we not only believe in increasing resources for special education, which we have done by 17%, we believe in accountability. We believe in making sure that students who need those resources can access those resources, and we also believe in working with—

**The Speaker:** Order. The minister's time is up.

#### NORTHERN EDUCATION SERVICES

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Northern Development and Mines. On Tuesday, November 20, members of the opposition party wrongly accused the government of not taking action to support initiatives to assist in preparing

people for the workforce. Having participated in the debate, I know that nothing could be further from the truth. As the member for Parry Sound-Muskoka, I know first-hand the challenges that face northerners and I know that the Mike Harris government has led the way to equip northerners with the tools they need.

Minister, could you tell us how the government is taking steps to overcome the challenges of distance and skills training in the north?

**Hon Dan Newman (Minister of Northern Development and Mines):** I want to thank the member for Parry Sound-Muskoka for his excellent question. In a recent speech given by our honourable colleague Dianne Cunningham, the Minister of Training, Colleges and Universities, she noted that it is expected that half of the jobs that people will have in 15 years will require skills to operate technology that has not yet been invented.

As the voice of the north at the cabinet table and in my capacity as chair of the heritage fund, I can tell you that we are working hard to keep our best and brightest in the north. I'm proud to say that in 1996 our government reoriented the mandate of the northern Ontario heritage fund to be more closely tailored to northern communities, with telecommunications as one of our top priorities. Since 1996, we've seen the benefits of the heritage fund translated into an estimated 12,260 new jobs in northern Ontario.

Make no mistake about it: our government believes in the province's north and we're working hard to build strong northern communities.

**Mr Miller:** As the member for Parry Sound-Muskoka, I'm proud to be part of a caucus that has truly responded to the needs of our constituents.

Many of my constituents have applauded the announcement of the made-in-the-north medical school in Sudbury that will use the latest learning technology. Minister, could you please tell the members of this House about what initiatives have recently been taken to ensure northerners have access to the skills and technology they need?

**Hon Mr Newman:** On Monday, November 19, I was pleased to announce that the heritage fund will make an investment that will help Collège Boréale and Contact North upgrade their telecommunications systems. For Collège Boréale, these upgrades in its partnership with Contact North mean more students in more locations will be able to take advantage of distance education, and the upgrade to the networks will significantly lower operating costs. This project might also attract and equip a new generation of students to Collège Boréale, students who can use a wide range of information-age technologies. What this telecommunications upgrade means for our government is that we are fulfilling our commitment to give northerners the tools they need in order to succeed in the information age.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. The community

care access centre in Thunder Bay has had to make even more cuts to their home care services. They have now had to reduce their services by \$9 million just to balance their budget and the effect of these cuts has become intolerable. For the first time ever, people discharged from hospital are waiting for nursing services. What this means, for example, is that you might have to wait 20 days to get a dressing changed. If you're in need of long-term care, you will wait much longer than that. Over 100 frail seniors have been on a waiting list since June for personal care or nursing care and their wait time is now indefinite. Someone will literally have to die before the next person can get care. Since the average age for the people waiting for care on that waiting list is 75 years of age, it's likely you will die on the waiting list before the care is made available.

Minister, I ask you to understand how desperate the situation is for these frail seniors and their families. Will you review the realities of the needs in my community and provide reasonable funding to meet those needs?

**Hon Tony Clement (Minister of Health and Long-Term Care):** To the associate minister of Health.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to say first off that this government has a very strong commitment to providing community services to every community across the province. Since 1994-95, the budget of the Thunder Bay CCAC has increased by some 58%. In fact, it's one of the areas in the province that has the highest dollars per capita, at \$105.38. This government has a large commitment to ensuring that services are provided across the province. The Ministry of Health and Long-Term Care is meeting with the Thunder Bay CCAC. We have every intention, as a result of our operating review, of moving forward to ensure we provide proper services for the people of the province, because that's important to the Mike Harris government.

**Mrs McLeod:** Notwithstanding, it is not reasonable to have to wait 20 days to get a dressing change when you've been discharged from hospital, and it is not reasonable to have to wait until somebody dies before you can get care to be able to stay healthy in your own home.

Minister, the cuts being made in my community are hurting children as well as seniors. Last week, because of the earlier cuts to the school health program, there were 368 children on a waiting list for services. Many of these children are medically fragile and need care just to be able to stay in school. As of this Monday, the entire speech therapy program in Thunder Bay schools was discontinued. The only way children over the age of six can receive speech therapy now is to have their parents purchase it privately. Minister, I suggest to you that speech therapy is not a frill. It is absolutely essential to learning and development, and without this therapy children with speech problems will not have a fair chance.

My question today is simply, why? Why should frail and sick seniors and fragile children pay the price of your government's corporate tax cut? Will you act now to

reverse these cuts to needed health care services in my community?

**Hon Mrs Johns:** The member opposite talks about reasonable. I want to talk about reasonable also. Last year the Thunder Bay CCAC budget was \$17.4 million. This year they applied for a budget of \$26.6 million. They wanted to increase their budget in one year by 50% of the fees they received last year. Does anybody consider that to be reasonable? But what this government is doing is that we're going to ensure that quality services are provided across this province. What we're going to do is that we have legislation in the House to ensure that there's a new governance model. We're going to have accountability in these systems so that the people of Thunder Bay get the services they need. We're making a commitment to that. We're not pulling numbers out of the air like the Thunder Bay CCAC is. We're working to ensure that the people of Thunder Bay get the services they need and deserve, and we're going to make sure it happens on this side of the House.

1450

#### COMPETITIVE ELECTRICITY MARKET

**Mr John O'Toole (Durham):** My question is to the Minister of Energy, Science and Technology.

*Interjections.*

**The Speaker (Hon Gary Carr):** OK, folks, that's enough. No yelling across now. Tempers are getting up. Last day. No more.

*Interjection.*

**The Speaker:** Order. The member for Thunder Bay-Atikokan, come to order, please.

Now the member for Durham has the floor.

**Mr O'Toole:** Minister, I know first-hand how tirelessly you worked on the restructuring of Ontario Hydro. More recently your very complete and comprehensive responses to the all-party examinations during estimates is further proof of your commitment to respond to the difficult challenges.

One of the concerns I've heard is the opening of the electricity market. Minister, could you tell the House today what your plans are with respect to the anticipated opening of the electricity market for competition?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** It's a very good question and one that people are asking in light of confusion in the print media—both today's story in the Toronto Star and stories last week and the week before in other newspapers—which somehow confused the future of Hydro One, which is a monopoly distribution and transmission wires company, with the opening of a competitive market. There is no connection between the two. There is in the minds of some investors, but certainly not with respect to the government's plans or the regulators' plans to open up a competitive electricity market.

I just want to assure all members of this House and the public that the regulators—both the OEB and the Independent Electricity Market Operator, the IMO—have

indicated as recently as this week that all the testing is on track and that the government's plan is to open the market by May 2002. We have a green light so far from the regulators. We'll be hearing more in the near future, but we're on track—

**The Speaker:** The minister's time is up. Supplementary.

**Mr O'Toole:** Thank you, Minister, for that update. I just want, as a caution, to advise all members that the Toronto Star often gets it wrong. So although the Liberals use it as their briefing notes, you've made it clear that often they don't get their information correct.

Minister, what I'm responding to is a plan that I've heard discussed, the market readiness plan. What comfort do you have that this market readiness plan can prepare the electricity consumers of Ontario for the market opening, as you say, in May 2002?

**Hon Mr Wilson:** Again, the honourable member has a very good question. The market readiness plans come from the two regulators, the Independent Electricity Market Operator, IMO, and the Ontario Energy Board.

*Interjections.*

**The Speaker:** We've got 30 seconds left, and the member for Don Valley East has been yelling across. You've actually moved up out of your seat, which puts you even closer. I would ask him, for 30 seconds, to try to behave. The Minister of Energy.

**Hon Mr Wilson:** In the market readiness plan that comes in from the Ontario Energy Board, in April of this year and updated again in August, the government received very favourable news with respect to the testing of the new market systems that have to be in place for the opening of a competitive electricity market.

On December 14 all of our partners, the 91 local distribution companies or municipal utilities, have to file with the regulator, the OEB, a self-certification certificate indicating that they too are ready for market opening. So far our indications are that the companies of almost 90% of the customers covered by local distribution companies are ready for market opening. Therefore, we expect to receive in December or early January a green light from both regulators allowing the government to move forward and finally open the competitive electricity market in Ontario for the first time in 100 years, bringing choice, the lowest possible cost to consumers and green energy to the people of Ontario.

#### BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for the week of November 26.

Monday afternoon's business is still to be determined, subject to what happened earlier today, and the House leaders will get a call about that.

On Monday evening we will continue debate on Bill 127.

Tuesday afternoon will be a Liberal opposition day. Tuesday evening we will continue debate on Bill 127.

Wednesday afternoon's business is still to be determined. On Wednesday evening we will debate Bill 130.

Thursday morning, during private members' business, we will discuss ballot item number 35, standing in the name of Mr Crozier, and ballot item number 36, standing in the name of Mr DeFaria. On Thursday afternoon we will continue debate on Bill 130.

#### PETITIONS

##### EDUCATION FUNDING

**Mr James J. Bradley (St Catharines):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Harris government's rigid education funding formula is forcing neighbourhood school closures and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that larger schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships; and

"Whereas small, neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature. I am in full agreement with this petition.

##### POST-SECONDARY EDUCATION

**Mr John Hastings (Etobicoke North):** I have a petition today from many Ontario citizens, dealing with post-secondary education.

"To the Legislative Assembly of Ontario:

"Whereas post-secondary education is very important in the development of young adults, to the betterment of society and the economic future of Ontario; and

"Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

"Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

"Whereas the tax credit as proposed in Bill 4, Saving for Our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

"Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP," the Ontario student assistance program, "thereby freeing millions of dollars for other OSAP students;

"Therefore we, the undersigned, hereby respectfully petition the Legislature of Ontario to act quickly to pass Bill 4, Saving for Our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of children" across this province.

I affix my signature to this petition with considerable pride.

#### PROFESSIONAL LEARNING

**Mr Rick Bartolucci (Sudbury):** This is a petition to the Legislative Assembly of Ontario from some English Catholic teachers in Sudbury, and it says:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

These are from the teachers at St Francis and St David schools, and I affix my signature to this petition.

1500

#### AUDIOLOGY SERVICES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I've received the latest thousand signatures on the audiology petition. I've been asked by the following communities to present them to the Legislative Assembly today. They come from Mount Hope, Port Carling, Hamilton, Cambridge, Ayr, Hespeler, Kitchener, Ottawa, Nepean, Kemptville, Arden, Bobcaygeon, Burlington, St Catharines, Stoney Creek, Caledonia, Brantford, Sturgeon Falls, North Bay, Orillia, Severn Bridge, Aylmer, St Thomas, Brampton, Aurora, Mississauga, Grafton, Gilford, Keswick, Dundas, Winona and Drayton. The petitions read as follows:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy makes it virtually impossible to implement these services in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

May those who have ears to hear, hear.

#### TENANT PROTECTION

**Mr John O'Toole (Durham):** I'm very pleased to present a petition on behalf of my constituents. It's to the Legislative Assembly of Ontario.

"Whereas we the residents of 145 Liberty Street South in Bowmanville wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville have invested considerable amounts of money in decorating, upgrading their apartments; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville were of the understanding that this was a rental property, not a condominium;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or any other relevant minister, investigate these concerns to ensure that we the residents of 145 Liberty Street South in Bowmanville can continue to rent their apartments."

I've written to the Minister of Municipal Affairs and Housing on this. I'm very pleased to sign and support these constituents of mine, all of whom signed this petition.

#### LONDON HEALTH SCIENCES CENTRE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by the year 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortage in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

Signed by a number of residents from Merlin, Blenheim, Chatham, Tilbury, Kent Bridge, Ridgetown and Erieau.

#### AUDIOLOGY SERVICES

**Mr James J. Bradley (St Catharines):** I read this petition in the presence of Gabe Spoletini, who is in the gallery. He is the vice-president of the Progressive Conservative Party of Ontario. I thought I would introduce him while I'm here because I know he has good deal of influence with the members on the government side. So I'm glad he's here today to hear this petition which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I affix my signature; I'm in full agreement.

**Mr Rick Bartolucci (Sudbury):** This is petition to the Legislative Assembly of Ontario. It's entitled, "Listen: Our Hearing is Important!"

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario," such as northern Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned" from every sector of northeastern Ontario "petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

Of course, I affix my signature to this petition.

#### MEDICAL SCHOOL TUITION

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas medical school tuition was deregulated by the Ontario government in 1998, and medical school tuition has and continues to increase in excess of 300% such that some university tuition is now \$14,000;

"Whereas the combination of excessive tuition and frozen student assistance have impaired students' accessibility to a medical education;

"Whereas the physicians most likely to practise in a rural area are originally from rural areas themselves; and

"Whereas unaffordable tuition disproportionately excludes medical students from rural communities;

"Be it resolved that we, the undersigned, petition the Ontario government and the universities of Ontario to ensure that medical education be made financially accessible to all qualified students; and

"Be it further resolved that we, the undersigned, request that medical tuition be capped and re-regulated at a level accessible to all Ontarians, and that the Ontario student assistance plan/Canada student loan program be adjusted, in order to ensure that Ontarians from all communities are able to afford a medical school education."

This petition is signed by a number of residents from Leamington and Blytheswood. I also sign this petition.

#### PODIATRIC SERVICES

**Mr James J. Bradley (St Catharines):** "To the Legislative Assembly of Ontario:

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on podiatrists for relief from painful foot conditions;

"Whereas new Harris government policy will virtually eliminate access to publicly funded podiatry across the vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government move immediately to cancel the delisting of podiatric services."

I affix my signature as I'm in full agreement.

1510

### HOME CARE

**Mr Rick Bartolucci (Sudbury):** This petition is also to the Legislative Assembly of Ontario. It says:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

"That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of the fiscal year."

I affix my signature to this petition as I am in complete agreement with it.

### CHILDREN'S MEDICAL SERVICES

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislature of Ontario:

"Whereas the recent events at the London Health Sciences Centre, where 18 programs have been lost due to funding shortages, and in particular, the Children's Hospital of Western Ontario, cause us to be concerned that we may lose medical and surgical subspecialty pediatric services for ourselves and our children;

"Whereas southwestern Ontario is a vital region of the province of Ontario that requires urgent access to pediatric subspecialty services and to travel to other children's health facilities in Ontario would result in serious personal hardship and risk to our children; further, that families would not be eligible for travel grants similar to those provided in northern communities;

"Whereas we have greatly benefited from the expertise in pediatric care provided by Children's Hospital of Western Ontario over the years and we appreciate that we may not be apprised of all the reasons for these physician losses; however, our children deserve to continue to receive the pediatric subspecialty care from the London Health Sciences Centre and Children's Hospital of Western Ontario that our region has depended on for decades;

"Whereas the loss of these services will result in great hardship to the families and seriously endanger the health of our children, we look to you as leaders to address this issue immediately and thoroughly. These times of great uncertainty about children's access to health care is a significant stress to ourselves and our families;

"Therefore, we the undersigned petition the Legislature of Ontario to demand that our government respond immediately to restore these critical services to the citizens of southwestern Ontario."

It's signed by persons from Chatham, Tilbury and Merlin, and I too have signed this petition.

### ORDERS OF THE DAY

#### VITAL STATISTICS

STATUTE LAW AMENDMENT ACT  
(SECURITY OF DOCUMENTS), 2001

LOI DE 2001 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LES STATISTIQUES DE L'ÉTAT CIVIL  
(SÉCURITÉ DES DOCUMENTS)

Mr Sterling moved third reading of the following bill:

Bill 109, An Act to enhance the security of vital statistics documents and to provide for certain administrative changes to the vital statistics registration system /  
Projet de loi 109, Loi visant à accroître la sécurité des documents de l'état civil et prévoyant certaines modifications administratives au système d'enregistrement des statistiques de l'état civil.

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** Mr Speaker, as you know, earlier today prior to question period we had a motion which will divide the time for debate on this particular bill evenly between the three parties. I will be sharing my time with my parliamentary assistant, Joe Spina, the member for Brampton Centre. I might add at the outset that Mr Spina has helped me immensely in terms of bringing this piece of legislation through the legislative process.

I also want to thank other members of the Legislature. Because of the nature of this particular piece of legislation, there has not been a lot of what we would describe as partisan debate. There has been I think a genuine effort on the part of members of the government backbench and opposition members to try to put forward constructive suggestions as to how this bill could be improved. In fact the bill, during the committee stage, was amended in a number of places. Some of those amendments were put forward by the opposition.

This bill comes to the Legislature this fall, although in the natural timing of things it probably would have come forward in the spring of next year. About a year ago this month, November, the Ministry of Consumer and Business Services asked the Ontario Provincial Police to look at our vital statistics system from the point of view of security, the ability to defraud using the documents which the vital statistics department produces. They came up with over 90 suggestions. About 60 of those suggestions had already been adopted by the department and the remaining 30 required regulatory and legislative change.

We were in the throes of doing that during the late spring and the summer of this year, and then along came September 11. So it was fortuitous that we had done a lot of the background work and therefore were able to introduce a bill shortly after September 11 to address some of the issues that arose out of an incident that we had. It brought a lot of worry toward the kind of document that we issue, some 400,000 of these documents each year, as a province.

The vital statistics department of my ministry is primarily located in Thunder Bay, but there are some people who are located here. The kinds of vital statistics we're talking about are the registration of births, the registration of marriage, the registration of divorce, the registration of death, vital statistics about each and every Ontarian's being and, of course, their death. The birth certificate that people get is proof of the fact that a particular person was born on a particular date and from certain parents, and where this event occurred.

The problem that we have faced in the past deals with the original registration of birth. At the present time, certain municipalities are partners with the ministry in recording these registrations of birth. Some municipalities charge parents for the service, and they are part of the partnership of registering these births. Therefore, in some instances this has acted as a disincentive for people to actually register the births of their children. We find

still, as young people start school and their school boards ask for the birth certificates of the children, that some registrations occur as late as the third or the fourth or the fifth year in the life of some of these children.

We're hoping to change that, and we're going to have a system that will not necessitate the partnership with the municipalities in the end. It will be a partnership with the hospitals. It will involve the doctor who is there, the medical staff and the parents, and this will be done immediately from the hospital right into the vital statistics records. So part of the problem that we've had in the past is going to be done away with and the records will be even more accurate than they have been in the past, and it will be much easier than in the past.

Part of the problem we've had with some of the other parts of the process deals with the copies of that registration of birth or the birth certificates. Until this bill was introduced, it was possible for an individual to get as many birth certificates as he or she wanted. We had in certain circumstances people applying for as many as 15 or 16 or 20 birth certificates. Some people may ask, "Why on earth would you do that?" It had become in certain cultures in Ontario a method of celebrating the birth or the birthday of an individual. They would get copies of the birth certificate and send these out to the various relatives, either in our own jurisdiction or outside of our jurisdiction. So what we have now done in this legislation is say, "You are entitled to one birth certificate for one person in the province of Ontario."

#### 1520

There is also in this legislation, for the first time, an obligation on people to report stolen or lost birth certificates. Even in the very short period of time since this legislation has been introduced, there have been now about 2,000 to 2,500 people who have actually reported that their birth certificate has either been lost or stolen, so that we know and put that on a record. If that birth certificate shows up in some other place, it can be delisted. We are now in better control of perhaps the possibility of a fraudulent use of a second copy of a birth certificate or a lost birth certificate or a stolen birth certificate. This new system in this legislation enables us to have a tighter control on the misuse of birth certificates in the future.

Another interesting part is that because our economy is so tied to our United States border, particularly in the province of Ontario—I think 93% or 94% of our trade is now with the United States of America—border crossings are very important to the economic life of Ontario. We want to be able to ensure that American customs officers have good information to go on, information that they can rely on, so that our people can go easily across the border, and of course we would like the same situation to occur to invite tourists into Ontario.

As a result of our moves with regard to this piece of legislation and some of the other administrative changes we are making to this whole area of vital statistics, I contacted all of the provincial and territorial ministers across Canada and we together are now acting in concert

to improve all of our systems so that they will be as much alike as they possibly can be, so there will be less confusion if I cross the border from Quebec into Vermont or if I cross the border from Manitoba into Minnesota or wherever I would be crossing the border.

**Mr James J. Bradley (St Catharines):** As long as it's not from Vermont into Ontario.

**Hon Mr Sterling:** No, you've been watching the West Wing. The member from St Catharines talks about going from Ontario into Vermont. There was an episode on the West Wing, which we in this Legislature all watch. I think it's one of the best programs that has ever been done on politics. There was an episode dealing with terrorism, and the supposed terrorist went from Ontario into the state of Vermont. Of course, we don't border on Vermont. Everybody in Canada is aghast and absolutely shocked that this mistake would be made.

There is a consensus among various different ministers to try to work toward this. What we are also doing is contacting our border states so that we will have some commonality and understanding with each other as to the requirements they are asking of their people in terms of birth certificates in border states, whether it's New York state or Ohio or whatever it is. We're working with some of our American border states to try to get some commonality.

We're also hoping to meet with Minister Manley and our federal counterparts to try to work with them to ensure that our Canadian customs and our American customs all know what each other is doing in order to provide for ease of going back and forth across our America-Canada border.

Up until this law came into place, there were very small penalties for anyone who would try to use a birth certificate to defraud somebody else in our system, whether it was trying to obtain a health card, trying to obtain a passport, or anything else. In fact, the penalty was a maximum of \$1,000 for the false use of a birth certificate. When you have very low penalties with regard to an offence, the enforcement officers, whether it's the OPP or any other kind of enforcement agency, have very little interest in taking up the case because, you know, you spend a week on a case and you're way over the penalty that can be imposed on the person trying to defraud the system. So the penalties are significantly increased in this act, up to \$50,000, I believe, for a person and up to \$200,000 for a corporation.

The system that we are developing as well is going to require, and does now, in addition to a signed application, a guarantor, very similar to what the federal government requests when someone seeks to get a passport. So we are now requiring a guarantor.

As well, in addition to the legislation and in addition to that requirement, there are many, many more checks occurring. There are now spot checks in terms of the applicant, the ORG actually phoning applicants to check and see if in fact they are making an application and that this is the person who has sent it in. They are phoning on a random basis a number of the guarantors as well.

Even though we have set these requirements as being higher—the guarantors and those kinds of things—the registrar general and the deputy registrar general have the authority to issue a birth certificate even though all of the i's may not have been crossed and all of the o's not dotted, because we do have circumstances where an applicant can't fulfill all of the requirements that we have.

I had in my own constituency a situation where there was a person who had been in an institution for mental illness all of his life in another jurisdiction, then came back to Ontario, where he was born. He didn't know anybody for a long period of time, and therefore the deputy registrar general still issued a birth certificate, which was needed to obtain old age security benefits. We still issued the birth certificate based on the evidence that we received and from the doctor who is now treating that particular person. So there is flexibility in the system to deal with the unusual case. We are, though, demanding in the ordinary course of business a higher standard of proof that an individual is there, and it's in fact being taken.

We included in this legislation the requirement, as in the case of a passport, that the person who is guaranteeing or stating that they know this particular individual cannot charge a fee for it. It was felt by members of this Legislature that that was the proper thing to do, and I agree with that.

The legislation is going to be not the only part, or the major part, of reforming the vital statistics records, and the process and procedures with regard to this.

The province of Ontario will be putting forth somewhere around \$5 million to \$6 million to upgrade the information technology so that there will be a much smoother process, so that better checks will be able to be made and will be done in a much more speedy fashion.

1530

I think members of the Legislature who have been here for a period of time will say that over the last five or six years there has been a tremendous improvement in terms of the performance of the ORG in producing birth certificates in a timely fashion. I can remember, going back maybe 10 or 15 years ago, when there was a constant problem with getting a birth certificate in a reasonable period of time. I believe the ORG has done a pretty good job in bringing those timeframes down and in being able to react in a speedy fashion.

As we go into this new process, it's going to be a very trying time for the ORG in implementing these new checks. It takes more time. There is an education process that is ongoing and there are still people who are showing up with the old application forms in order to obtain birth certificates. This causes frustration. It causes some delay. So there is going to be a bit of a rough period here that we're going through.

I am happy to report, however, that there is a recognition by the government that it is going to require a little bit more resources to get over this period of time. We're going to need more human hands over a short period of time. As the better IT systems get implemented, then

we'll be able to do it with some more staff, but not a huge expansion of the staff, and we'll be able, I believe, to have a better customer satisfaction service than we have had in the past. But I do warn that this won't happen overnight because there is a transition period.

The birth certificate was never intended to be an identity document; in fact, it has been used by a lot of us as an identity document in some cases. For instance, to go across the border if you don't have your passport, you can use your birth certificate and your driver's licence as two documents to satisfy customs agents at the US border.

I believe there's going to be a significant debate over a period of time as to whether we should move to an identity document. That, of course, is going to involve a whole lot of interests. There are a whole lot of balances to consider in terms of privacy rights versus the right of officials to know who is holding this particular document. Biometrics are another part of the debate that come to the fore, whether these kinds of documents should have a biometric identification so that immediately the person can be identified as the person holding the card, as one and the same person.

As you may have heard, the federal Minister of Immigration has talked about an immigrant identification card. Some people would argue that perhaps it is time to think about another identification card for people who are born in this province. That's not what this legislation is about and that's not the step we're taking at this present time, but it is a constant question I am asked. It is something that I'm sure we're going to be talking about in the not too far distant future.

In summing up my remarks, I'd like to thank the members of the other parties and the members of my backbench for their support for this bill. I believe it's a pretty big step forward. I think it's a step that was necessary and I'm really, really happy that we've been able to act in this Legislature in a constructive manner to bring this legislation to the fore. I look forward to the debate of the other members of this Legislature and any other suggestions they might have on how we might travel in the future.

**The Acting Speaker (Mr Bert Johnson):** Further debate?

**Mr Bradley:** I welcome the opportunity to speak on this legislation. The minister will be forgiving of me if I am to remind him that this legislation came forward as a result of the intervention of the leader of the official opposition, the member for Ottawa South—his part of the province—Dalton McGuinty. He, in a question in the Legislature directed to the minister, indicated clearly that there was a deficiency in terms of identification, in terms of the system, a problem with the system that a person could too easily obtain a birth certificate, and that as a result, a change would be needed, particularly in these times where increased security is a matter of high priority for governments at all levels. He would want me to pay tribute to the Leader of the Opposition, Dalton McGuinty, for doing so.

That having been said, I am pleased that the minister has followed the recommendations of the Leader of the Opposition in bringing forward legislation which will improve the system. Any time the minister or any member of the government follows the recommendations that the opposition has made, I'm here to compliment you, I assure you of that, to offer my personal applause.

I was happy as well that, as the minister outlined, and this is important, while the system is going to be much tougher in terms of being able to obtain identification, the people in his ministry—that is, in the registrar general's office at least, which is part of the ministry—are going to be reasonable. The minister, I think, pointed that out. Someone who wants to obtain a birth certificate for the wrong reasons isn't going to be able to do so, we would hope, under the new system. However, he pointed out a circumstance that we encounter as elected members in our constituency offices, where there are people who require a birth certificate but by themselves would not easily be able to obtain it. Sometimes it's a person who has encountered mental illness, for instance, who requires that kind of assistance in obtaining a birth certificate. We would do so with all the safeguards built in, but I think the minister was appropriate in mentioning that this isn't so tight that it would not allow for reasonableness in dealing with those matters, some degree of flexibility. I don't think people would be critical of the minister or the government for doing that, even in the circumstances we're confronted with today in terms of national security.

I want to say as well that I'm delighted the minister has followed what must have been my recommendation at one time or other, to have an office in St Catharines where people can now obtain a birth certificate on the same day that they request it if they have all the documentation and all the information. That process is going to perhaps be delayed a bit now, but we have an office in our city, and I want the people who may be watching from our city to know that. For twice the amount of money that they would pay normally—that's called a user fee, and this government is very good at implementing user fees; I think I've counted 1,369 new user fees or increases in user fees since the Harris government has been in power. But for double the money—I think it's \$30 at the present time—a person with all the proper documentation can obtain a birth certificate in a relatively short period of time, particularly for emergency circumstances in Ontario.

The minister points out appropriately, as all members would know, that the birth certificate is the basis for obtaining other documents. A social insurance number cannot be procured from the federal government without having a birth certificate to identify yourself, or some form of identification. A passport requires a birth certificate so that a passport is appropriately issued. A health card needs a birth certificate. For a licence to drive, for instance, one has to know how old a person is. Those of us who have been involved in the sports scene would know that in order to be able to play in a certain category, a person would have to have a birth certificate.

Now, mine would be to qualify for old-timers'. They might not think that I would qualify for an old-timers' league, so I would now need a birth certificate to indicate that I would hit that category, at least one of these years.

1540

The minister would be interested to know, as members of the House would, that a number of years ago—and I can't pin this on your government; you weren't in power at the time, this specific government—a constituent of mine had his identification completely taken over by a person who then took it to the United States and used it. The basis was the birth certificate. This was a number of years ago. So that individual would be interested in knowing that changes are being made.

The minister made reference to another, what I think can be positive, move. We all encounter problems with birth registration. Speeding up that process, dealing directly with the people who deliver the child—the doctor or the midwife and the hospital, if they happen to be born in a hospital—I understand it's not going to come about immediately, but getting that system in effect will be useful. That extra step, dealing with the municipalities, often was a step that took a little too long. I think that's going to be useful and it also gives some direct information and people aren't trying to obtain it five years after the child is born, which is a challenge for everybody concerned.

I know there are other issues that we could be talking about this afternoon that we're not talking about that the minister would have concerns about, and they might well relate to this legislation.

We've had a number of layoffs announced in our community in St Catharines at General Motors, at Dana Corp and at TRW; that's the automotive industry in Ontario. The minister understands, as do all of us, the importance of the automotive industry in our province, and we hope the government will be taking appropriate action to ensure the future viability of the automotive industry. I have a concern in my own community that the minister and all officials of government—and the reason I say this is that Mr Sterling, our present minister, is interested in business in this province. Part of his mandate is business relations. I think it's now called Consumer and Business Services. I wish to indicate a concern I have about the automotive industry and a hope that the government is intervening directly in that.

This afternoon as well, we might well be talking about the closing of neighbourhood schools. I have a number of schools that are under the gun at the present time, namely Maplewood school, Dalewood school and Lakebreeze school, all of which are under the gun. Those people there require birth certificates from time to time, Mr Speaker. That is how I would relate that to this particular piece of legislation, because you are always one to be mindful that we are doing so.

**Hon Dan Newman (Minister of Northern Development and Mines):** And MRIs.

**Mr Bradley:** MRIs. Well, I'll tell you something. We've had a few MRIs now. Every one of us is inter-

ested in an MRI in our community, and more of them and faster service in that regard. We hope that will be forthcoming.

I always express concern about the implementation of any legislation, because I know the Minister of Consumer and Business Services wants to implement this legislation appropriately. That will require an allocation of funds. If indeed the government is instead going to proceed with a huge tax cut—a tax gift, I call it—to corporations in this province to the tune of \$2.2 billion and proceed with a voucher system for private education which will cost a minimum of \$300 million to the revenues of this province and with an income tax cut of close to \$1 billion, if all that is proceeded with, my fear is that the minister will not have the necessary funding to be able to implement the very reasonable recommendations which he is putting forward and which he has suggested in his speech in the House this afternoon.

The provincial Treasurer has said they're not going to have the money now, so he's going to have to invoke a constraint or considerable cuts in the financial resources of each ministry. I know my colleagues on this side are very worried about that, that they would choose instead to proceed with an ill-conceived tax cut—a tax gift—when most people in this province, I think, would support the minister. They would say to me, "I was watching the debate this afternoon. The minister put forward some reasonable proposals to respond to the problem brought to his attention by Dalton McGuinty, the leader of the official opposition. He wants to rectify that situation Mr McGuinty brought to his attention, but he's going to need the financial resources to do so." I agree that he's going to need them.

I think most people in this province would say, "Look, forget about my further tax cut. I've had some tax cuts and I was perhaps happy to get them. Forget about those, forget about the corporate tax cut, forget about the voucher system, and instead provide some additional funding to the Minister of Consumer and Business Services so he can appropriately implement the provisions of this legislation.

That would be what we would call truly common sense, and at the same time they might well have money to finance our community care access centres, which are under great financial strain at the present time, and to help out our hospitals, which are struggling with the amount of money they have available to provide services to people in the community, or indeed for those in seniors' homes, one of the places, interestingly enough, where from time to time we will encounter people who over the years have lost a birth certificate.

The school they were involved with—we used to have the registration at the school—would be helpful, or perhaps the church where they were baptized; there would be a baptismal certificate that might have some identification. Sometimes a fire has eliminated it or it's been lost somewhere in the past and those people require a new birth certificate. It's often, as the minister made reference to, for pension purposes, to be eligible for pensions that are based on a person's age. Those people

are often in facilities that are underfunded at the present time.

I think of Linhaven in St Catharines, which is struggling, with the amount of money it has in its budget, to provide services to seniors. It's a nursing home and a seniors' home, trying to provide services to patients. They don't have enough nurses, they don't have enough staff and they don't have enough financial resources to do what I know everyone who is associated with the home would like to do. So again, if the government didn't proceed with those ill-conceived and unnecessary tax cuts, there would be money for that as well.

The minister is here this afternoon. As a former Minister of the Environment he would be interested in the fact that they have found contaminants in Lake Gibson. At least it has now been exposed. They found them, I think, last spring. Ontario Power Generation was doing some testing as a result of the ministry's asking them to test old areas and they found PCBs, polyaromatic hydrocarbons, copper and lead. Lake Gibson, if you're familiar with St Catharines and Thorold, is sometimes used as a reservoir for the drinking water supply of our community in Lincoln and Niagara-on-the-Lake and Thorold—not often, but it's a backup system, because normally our water is drawn through another channel from the Welland Canal, if you can believe that, but it is purified through a system we use.

I know that the same people, who are often seniors, who are looking for that birth certificate are also worried about audiology services, that is, hearing services that are now being delisted, and foot care services that are being delisted. While they are thinking about their birth certificate and are hopeful the minister will get the money to implement the provisions of his bill, they're also worried about those other matters at the same time. I know our Speaker has constituents who have the same concerns.

I am going to divert a bit because the Speaker in the chair is a great promoter of the Stratford Festival. I understand they had a very successful year. It was impacted more recently by the terrorist attacks in New York, but previous to that, and even subsequent to that, there was good attendance this summer, some excellent performances. Of course, Stratford and Niagara-on-the-Lake, with the Shaw Festival, are both communities that are wonderful places to visit and spend a few dollars. We always welcome people from the other parts of the province, but particularly from outside the province.

I want to say this afternoon that I am speaking in support of the provisions in this legislation that are going to be helpful in counteracting terror, if you will; in other words, increasing security. It's too bad. I think if we asked virtually any member of this Legislature, "Do you want to see these new laws which change things so drastically?" my guess is they would say no. They would say they're necessary, but in the best of all worlds we wouldn't want to go through some of the procedures we have to go through now.

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The federal government is passing a very strong piece of legislation which takes away some liberties that we've

had. I'm sure the members in the federal Parliament are not happy about that.

Provincially, we are embarking upon some courses of action that are going to limit or restrict our liberties that we have enjoyed over the years, and I'm sure members of this assembly lament it. We liked the fact that in Canada we could be looser with our security, and even in the United States, looser with security than in Europe. People like that flexibility. They liked that feeling of freedom and liberty that was there. Unfortunately, we're in a world of reality and so we have to make changes such as the kind of changes that are contemplated in this piece of legislation. I am supportive of those specific changes, and in concluding my remarks I certainly thank the leader of the official opposition, Dalton McGuinty, for bringing this forward.

I see a number of people who are in the gallery today. We're always pleased to welcome to our public gallery individuals who are visiting with us and want to observe what is going on.

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** It's the grant review teams for Trillium.

**Mr Bradley:** The Trillium grant review teams are here this afternoon.

*Applause.*

**Mr Bradley:** That's right. I'm glad, because there's a reception to honour them. It's most appropriate that we honour those individuals, and I will be attending that reception this afternoon to honour, among the people, those who are from Niagara who provide this service.

**Hon Mrs Elliott:** Room 228.

**Mr Bradley:** It's in room 228, I remind those who are perhaps watching from their offices.

I should tell the people in the gallery that while not everyone can be here to hear the speeches, all of the members are watching them in their offices at this time and are listening with care.

I thank those who are the volunteers with the Trillium program in Ontario, who assess the applications and who make some pretty difficult decisions on allocating funds to good use in all of our communities. We're delighted to have them with us.

With that, I'm going to resume my seat and pass the torch along to yet another member of the Legislature.

**Mr Michael Prue (Beaches-East York):** I believe that my caucus and I will be supporting this bill, but I have to stand and speak about some reservations we still have with it.

Perhaps, as the honourable minister said, it's for another day and another bill somewhere down the road to improve this particular bill and to do what I think he and this Legislature are intending to do with the bill, and that is to heighten the security provisions that we are all more mindful of following September 11. I'm going to deal with two problems with this bill and then talk with some other generality about the bill.

Number one, the minister can and the registrar can, without notification, cancel a birth certificate at any point without informing the lawful owner that it has been

cancelled. We find this to be a problem with the bill. We find that this is going to cause innocent individuals problems when attempting to use a birth certificate in a lawful manner as a form of identification, whether registering their child in a school, applying for a driver's licence or any other legitimate use. Their name is going to flash on a screen, and they are going to be considered someone who is using it unlawfully or illegally even though they are the person to whom the certificate has lawfully been issued. We do have some considerable difficulty with this provision.

I think the rationale the government has given is quite flawed. The rationale is that if you inform the lawful owner, then they will not attempt to use it in an illegal manner, such as crossing into the United States. I have to inform the members of the Legislature that this is total hogwash. For 21 years, I worked in the immigration department of Canada. For 21 years, we would not, as immigration officers, accept a birth certificate as a *prima facie* and only document of a person's right of abode in Canada or the fact that they were born in Canada. If you thought the Canadians would not accept that, I will guarantee you that the Americans were much tougher on the use of such documents.

A birth certificate proves nothing. A birth certificate is only one document in a person's arsenal of documents within their wallets that identify who they are. A birth certificate does not contain a picture. A birth certificate is usually 20 or 30 or 50 years old and is issued at the time a baby is born. The person bears no resemblance to the person who originally got the birth certificate. If you get one of the small Canadian documents, it contains very little if any information, other than the date and place of birth.

The use of this document is only valuable to those who want to believe that the person is who he or she says they are. As I said in an earlier speech on this topic in this same House, the use of birth certificates 25 or 30 years ago among many of my colleagues, when I was a much younger man, was to go into the bars to drink. They would borrow it from their friends or their brothers or some acquaintance to go and prove that they were 21 years of age. They were not the same person. There was no other document required in those days. This House, in its wisdom many years ago, sought and obtained the legislation to change the age of majority card, which has a picture on it, which is documented and which is the only proof to either buy alcohol or to be in a bar, pub or local hotel.

The birth certificate itself was a flawed document. No one would use it any more or trust its authenticity for the purpose for which people were using it, i.e., to drink under the age of 21, just as today no one will use that document for the purpose that some are purporting it is used for, to travel back and forth to the United States or to other countries in the Caribbean or Mexico, which will allow residents with proof of citizenship to enter their countries. The only places that take that as a document are those that really, with the greatest of respect, do not

care about the document. They are looking for tourists; they are looking for dollars. I challenge anyone here who has travelled frequently to some of the Caribbean islands or to Mexico to ask if you have ever been challenged or if anyone has ever looked at any document that you have in your possession. It simply does not happen. They are happy to see the tourists. They don't question this and they simply wave you through: document, no document; birth certificate, no birth certificate; passport, no passport. It is not a requirement that serves any use.

If it is intended to stop illegal migrations and/or terrorism, I want to tell all of you that this has no value for that. You are not going to stop terrorists by limiting the number of birth certificates or anything else that this legislation contains.

The second problem we have with this document is that the legislation allows that it may be given to "any agency, board, commission, corporation or other body, inside or outside Canada." Again, I go back to immigration. I find it absolutely ironic that documents that are legitimately issued in Canada can be given to any other government, and I underline "any government"—not those with whom we are friends, not those with whom we have pacts or who are in NORAD or NATO, not our American neighbours, but any government, any agency, any board, any commission, any corporation or any body inside or outside of this country. I find that somewhat ironic.

Every year—across the borders into Ontario through Fort Erie or through Niagara Falls, and at Pearson airport—45,000 refugee claimants arrive in this country. I find it absolutely ironic that the overwhelming majority of them have no identification whatsoever. As a country, we allow those people to come in to make refugee claims and we make no statements as to who they are. The overwhelming majority, 95% or more, are released on their own recognizance to come back for a hearing at some future time. None of those is required to have a document, yet what we are saying is that our own Canadian citizens who are born in Canada may have to have this document and that we will in turn give that document upon request to any agency, board, commission, corporation or other body inside or outside of this country.

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I find this ironic and troublesome for many reasons, but I ask the good members opposite and the members listening, and the people on television especially, to think about the 45,000 or so who come to this country every year to claim refuge. I'm not going to be naive and I don't think anyone else should be naive to think that they are all refugees. Certainly some are and certainly some of them are merely economic migrants. But the reality of the situation is that some of these people are here because they fear for their lives. They have escaped from their own countries and they do not want their own countries to know where they are. They come here under the guise of secret identities and many other things to actually appear before an immigration officer at a port of entry. When they're here they do what all people do: they get

married, they have children, they develop lives. They do the same things. If their children are to require a birth certificate a year, two years after their arrival and that birth certificate is then given and someone—any country, any agency, any board, any commission, any corporation or other body outside of the country—requests that information, it can be released.

These are people who left for fear of their lives. Let's just pick any country. Let's pick something in South America—let's pick Uruguay. That's a safe country and I'm sure no Uruguayans watching will think that I'm referring directly to them, because I don't believe there are many refugees from that country. But should a person be a legitimate refugee from Uruguay, come here, have a child, and then a foreign body, a corporation or other person requests that information and that information is given, it says a number of things. Number one, it identifies the parents. It identifies the mother and father and where they are, ie, they're in Ontario, they're in Canada. It identifies their child. It identifies that the child was born, where the child was born, the city in which the child was born, the city in which the child was registered, the time of the birth, the time of the application. It's all on there.

We live in a time of terrorism. We live in a time when there is state terrorism. We live in a time when there is individual terrorism. Are we going to be giving out this kind of document? I am very afraid of this kind of document going back to a country which has maltreated its citizens, which has had its citizens run away, and then in turn inform them where the parent is, inform them that they've had children in Canada, inform them that they're in this country. That causes me a great deal of concern. I would suggest the government has not paid sufficient attention to this particular provision.

We get into other problems and I think they're minor in comparison to those two. Those are the two major problems that we should lend our minds to and that the minister should immediately start thinking about, should immediately put his mind to, in terms of when this legislation is passed—because I can tell from the debate it's going to be passed—in terms of amendment in the near future. We need to think about those things in order to protect the innocent—not the guilty, not those who would abuse the system, but the innocent who may suffer because the information is made available and/or who may suffer because their birth certificate is cancelled without notification to them, not that someone illegal has been caught, but that it has been cancelled without notification to themselves.

Some other things that need to be considered are the birth certificates. The provision that you can't have multiple copies is absolutely, stupendously excellent, Minister, and I congratulate you. As a former immigration officer for 21 years, I've seen many birth certificates floating many, many times from many, many individuals used for many, many purposes—not that we would accept that as a case to come into Canada, but once people were inside Canada they were used for obtaining

social insurance numbers, drivers' licences, residency documents and any other number of things that a person needs to carry on his or her life in Canada, including credit cards and just literally everything else you can think of—getting children into school, the whole works. They were used for everything. Having just one is a good idea, and I commend you for that. It's about time that each person is able to have only one birth certificate.

But the reasons people have more than one birth certificate, with respect, are not just for celebratory reasons or for transborderers. People have more than one birth certificate often because more than one is required. One may be required for the child as well as one being required for the parent and/or guardian.

I go back again to Immigration days to talk about something which, although it's not an everyday occurrence, certainly would happen many times over the course of the year in this country, and that is where Canadian citizens who are born in this province or are born in another province in Canada are taken away from Canada by their parents at a young age, usually to go back to the country of their parents' birth. This may happen for a number of reasons; one may be quite voluntary, that the parents have come here, have found that Canada or Ontario or Toronto or any other place is not to their liking, they couldn't find a job, they couldn't establish themselves in their profession, and they've decided to go back home where they have family, where they have an offer of employment or for any other good reason, and take the Canadian child with them. The second option is far more common, and that is where people come to this country illegally and have a child or a number of children, are subsequently found out, are arrested, are deported and are sent back, usually with their children in tow. Those children would go home, but those children too are Canadian citizens, having been born in this country.

I ask the minister to think about it. This is not a rare circumstance. Years later, when that child is eight or 10 or 12 or 15 or 18 or is old enough to make up his or her own mind that they wish to return to the country of their birth, it will oftentimes be very difficult, unless the parents will give them the birth certificate or a document to establish that they were born here, for them to prove in fact that they are Canadian citizens. There needs to be some other mechanism, which is not contained within this act, that allows them to go into a Canadian embassy abroad and to plead their case without knowing anyone on that list, because, with respect, it is highly unlikely they would ever know anyone on that list. There needs to be a mechanism from the registrar to recognize those children who have left Canada, not of their own volition but in the care of their parents, in order for them to get the necessary document to begin the process of coming back to live in the country of their birth. It does happen, I would suggest to the minister, far more often than you might be aware of or maybe than anyone in your ministry has thought.

The minister also said something I thought was very telling and is actually at the nub of this entire problem,

and that is birth certificates being used as one of many documents to cross into the United States or to those other countries which might accept them as proof of nationality, proof of citizenship. In this country, we do not have certificates of identity. We do not have certificates of identity for those who are new Canadians, who have availed themselves of the provisions of the Citizenship Act by taking out citizenship, but we also do not have them for those people who were born in Canada. We do not have certificates of identity which allow people to travel from one country to another.

This is a very common document in most of Europe. If one goes to the European community, you will see that a certificate of identity can be used to cross the border from England to France, from France to Germany, from Germany to Italy, from Italy to the Republic of Ireland or anywhere else in the European Economic Community. Those certificates of identity are used in lieu of passports. In fact, Canada has had a long tradition of these certificates of identity. Within the Immigration Act, 1952, and within the Immigration Act of 1978, certificates of identity from some countries were in the regulations as being acceptable in lieu of passports, and those certificates for countries like Belgium and Norway could be given at a port of entry and were accepted in the same vein as a passport, much the same as British certificates of identity were occasionally used for summer travel between Britain and Canada and could be used for the purpose of one visit.

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As a country, we need to look very seriously at issuing such documents for transborder and perhaps for worldwide travel. It is a far better document that is far more difficult to abuse than an ordinary passport and infinitely better in terms of non-abuse than a birth certificate or other document. We need to be looking at that and to be talking to our federal counterparts in Ottawa to be coming up with transborder documents that can be used. That's the purpose for which they exist. A birth certificate, I have always said, proves that you were born. It doesn't prove anything else. It proves that you were born, if it's authentic and it belongs to the person who owns it. A certificate of identity for the purpose of travel proves that the country of which you are a citizen will allow you to travel and that the host country will allow you to enter with it and that the country of which you are a national will allow you re-entry back on the strength of that document. That's what it's for.

If we are to insist on curbing terrorism, I do not for a moment, as a civil libertarian myself, think this is an affront to civil liberties. This is a document that is issued for a rightful purpose: to travel from one legitimate jurisdiction to another. It is certainly far better than pretending to use a birth certificate for that purpose. In fact, of all of the provinces in Canada, it may surprise some members here to know that it is almost impossible to find a birth certificate from the province of Quebec, although I understand they are now issued as of late date. It was almost impossible because everyone had a certificate of

baptism, which was signed by the local priest, that came out of the parishes of the local priests in Quebec, and that was the only record of the actual birth in Quebec until well into the 1960s and 1970s.

As a country, the federal government needs to get a serious handle, and one way of getting this serious handle is to have people apply for this document, and in fact they will be required to do so when other jurisdictions request them. If the United States comes to the point that they fear terrorism from our border—and I don't know why they would, but if they ever came to that position—I would think they would demand such a document. We had better be prepared as a country to either accept that or to stop travelling to the United States. I would ask the minister to deal with his federal counterparts and to talk about this as the solution to the problem we are facing post-September 11.

I would also ask the minister at the same time that he is doing this to ask his colleagues in cabinet why Ontario is the only jurisdiction of all of the provinces in Canada that has not signed an accord on immigration. We are the only one. Although section 93 of the British North America Act quite clearly states that immigration is one of the shared jurisdictions between the federal government and the provincial governments and in spite of the fact that every one of the other nine provinces has signed an accord in that regard to deal directly with the federal government on the issues of migration, on the levels of immigration, on all of the forms that are used in immigration, Ontario has not done so.

I would think if Ontario is serious about our borders—and I've heard the Premier speak about this, I've heard various ministers on the opposite side speak about this—about having a seamless border, about having a circumference that's guarded from the outside and any other number of descriptions, we have not done what is absolutely necessary for us to do, and that is to sign the accord with the federal government and get involved in the immigration business. Certainly the province of Quebec has been involved in this since the 1960s. The province of Quebec chooses its own immigrants, has its own grid, has its own immigration department. Ontario has none of those things. If the government is serious about this, then it is something that needs to be looked at far more than simply tightening the birth certificate rules.

That brings me to my last problem. I ask the government to think in the future, because, as I said, we are not opposed to the direction the government is heading in, but this has not been well thought out on a number of fronts. The last item I ask you to think about is the problem of people who, for whatever reason, continuously lose documentation. One of the things they might continuously lose is a birth certificate. In my former job—this was in between Immigration and today—as a councillor in the city of Toronto, we often had to deal with the problem of homelessness and the problem of providing for the homeless. One of the problems that came up most often was that homeless people tended to lose their documents. When they lost their birth cer-

tificate, when they lost their welfare card, when they lost something else and they had no habitual residence, it was extremely difficult, almost impossible, for them to trace the necessary steps in order to get the documentation which would allow them to go back into the system and to be helped. They couldn't open a bank account; they couldn't access their bank account; they couldn't apply for welfare; they couldn't apply for housing; they couldn't be on the list. They had no documentation. It would literally take social workers sometimes weeks or months to get them together, to get the necessary documentation to retrieve it, only, unfortunately too often, to have it lost again.

We need a system where there is a permanent record. We need a system that can be used in such a way, for people who sometimes through their own fault or sometimes through no fault of their own because they are singularly incapable of dealing with it, that the information is readily available. One can expect that it would be lost from time to time, more often than not. The minister needs to turn his attention to that for future legislation in order to help the plight of those who are incapable of looking after themselves.

Mr Minister, members opposite, and those watching on television, that's the nub of what I wish to talk about today. Again, we have some very serious reservations with the bill, but we have to state from the outset, and I did, that we are going to support the legislation because it does a number of key things that are proper and that need to be done. Number one is to tighten up the legislation. Number two is to make sure that people do not have multiple copies so it can be abused. I'm not thinking about abuse by terrorists or those who smuggle themselves across borders, but all kinds of abuse, from credit card fraud to people drinking under age to any other thing that these birth certificates have been used for in the past.

We need to have a system which is regulated, similar to that for passports, and I commend the minister for that. We need to put some integrity back into a system which for too long has been sort of "over there" and has not been looked at in a proper way.

I think that would be the nub of my statement for today. I am going to leave the balance of my time to my colleague Mr Kormos, who will be here shortly.

As I said, we will be supporting this legislation. We thank the minister for bringing it forward. We hope, in an effort to look at the constructive criticism I have tried to provide today, that he will look further down the road to bringing some necessary amendments back to this legislation, will look at other areas where we can tighten and secure the future and the integrity and safety of the people of this province, and look further down the road to working with his colleagues in Ottawa to make sure that any abuse that has ever been part of the birth certificate system is fixed not only by what he has done here today, but in many other ways that are directly related to it.

**Mr Joseph Spina (Brampton Centre):** At the outset of my comments, I want to thank members of the

opposition for their constructive criticism. It's always of value to have your comments.

Before he goes too far, I want to also thank my minister for his kind words in his tribute to the work I did on this bill. I appreciate it, Minister. Thank you.

Perhaps for some wonderful guests who are in our gallery here today, Bill 109 is the Vital Statistics Statute Law Amendment Act, which has to do with the security of documents and specifically with birth certificates. It's to amend the Vital Statistics Act to strengthen the protection of the integrity of vital statistics documents.

**1620**

This legislation will improve service so that Ontarians can register, and get certificates for, the most important events in their lives in a secure and reliable manner. The security measures proposed for the issuance of birth certificates are necessary to protect Ontarians and their families against identity theft and other criminal activities. These new security measures are responsible and they are prudent.

Most of these changes have been in the works for some time. In fact, a security audit was undertaken last year, which prompted the implementation of several security measures. With this bill, we are accelerating those remaining measures.

Birth certificates are the foundation documents relied upon by other governments, other law enforcement agencies, to establish proof of identity. A birth certificate is one of the documents required to cross a Canada-US border, and also, of course, to allow you to get a passport for other countries. It allows you to obtain a social insurance number. A fraudulently obtained birth certificate really facilitates identity theft. That's what we have to make all efforts to try to eliminate.

This government is giving top priority to improvements that will significantly strengthen the security of birth certificates and provide better tools for preventing and for detecting fraud. Our government wants to protect the security of all of the people of Ontario and to crack down on identity theft. We must adopt these new security measures to protect Ontarians and their families and to see that Ontario remains one of the safest jurisdictions in the world. Citizens of our province deserve no less from their government.

This bill would also limit the number of certificates and certified copies of registration issued to people born in Ontario. I have to tell you that I, as an individual person, really did not understand or appreciate the fact that people could obtain multiple copies of their birth certificate in this province prior to this bill being introduced. I was astounded. Why would people want multiple copies of their birth certificate? But nevertheless, that was the case. This bill limits the number of certificates and certified copies issued to Ontarians. Not more than one certificate and one certified copy of a registration will be issued in respect of a birth, with certain limited exceptions.

Public and private sector organizations rely on birth certificates as evidence to access programs and services.

There is a restriction on a number of other documents, such as an OHIP card, social insurance card and passports, an individual could obtain. Someone other than the legitimate holder could use a birth certificate to gain access to these programs and services fraudulently, and I know many people in our province have heard of or know of an instance where this has happened.

A new fraud protection and detection mandate for the office of the registrar general, acronymed ORG—government gets caught up in acronyms—would include limiting the number of individual certificates that may be issued. It would increase stakeholder confidence in vital-event information and documents. This would also make identity theft using birth certificates not only more difficult but in fact a prosecutable crime.

This bill allows the registrar general to limit the number of certificates and certified copies of registrations that may be issued in respect of any change of name, death, stillbirth or marriage. Effective immediately, the office of the registrar general will be tracking the number of applications received for an individual birth certificate.

This legislation requires people to report lost, stolen, destroyed or found certificates to the registrar general of Ontario. If a person finds a certificate or a certified copy of a birth registration, he or she must notify and forward to the registrar general or deliver the document to the police or to a lost-and-found service. Lost or stolen certificates can be used by someone other than the legitimate holder to assume someone else's identity and we cannot allow that to happen.

This legislation will enhance the ORG's ability to proactively combat fraud, will provide a legislative requirement for people to notify their registrar general of the loss, theft or destruction of their certificate immediately upon becoming aware of it, and will assist in the development of appropriate channels to report lost or stolen certificates.

The legislation allows the registrar general to deactivate certificates and certified copies of registration if they have been reported lost, stolen, destroyed or found. That's something fundamentally new. The originally issued birth certificate can and will be deactivated upon being reported as lost or stolen or destroyed.

Deactivating these certificates would reduce the opportunity to commit fraud and identity theft. Other documents issued by government are then cancelled or deactivated; for example, a health card. The public is and should be concerned about lost or stolen certificates and will be reassured, and are being reassured, that these certificates have been cancelled.

The legislation allows the registrar general to obtain and share information when there is suspicion that a person is making or may make improper use of any document that has been or may be issued under the act. The new act requires a signed statement from a guarantor, similar to what happens when you apply for a passport document. A guarantor is a person who has known the applicant personally for at least two years and is confident the statements made by the applicant are true.

What other qualifiers would this guarantor require? The guarantor must also be a Canadian citizen and be available in the event further confirmation is required by the registrar general. The list of potential guarantors parallels the list of guarantors used to obtain a passport, such as a dentist, medical doctor, nurse, chiropractor, judge, magistrate and justice of the peace. I'll name the rest of them, but the key element is this: the exception is that MPPs may also be a guarantor for a birth certificate application. That is different from that for the passport. Police officers, whether they be municipal, provincial or RCMP, can be guarantors. So can a lawyer, a member of a provincial bar association, a mayor, a minister of a religion authorized under Ontario provincial law to perform marriages, a notary public, an optometrist, a pharmacist, a principal of a primary or secondary school, a professional accountant of the various designations—APA, CA, CGA, CMA or RPA—a professional engineer, a senior administrator in a community college, and that includes CEGEPs, a senior administrator or teacher in a university, a signing officer of a bank, *caisse d'économie*, *caisse populaire*, credit union or trust company, and last but not least, it also includes a veterinarian, a doctor of veterinary medicines.

A new amendment to the bill, one I think the opposition provided, provides that guarantors cannot charge a fee for their services. I think that was a very legitimate recommendation made by both opposition and some government members. It was a worthwhile amendment made to the bill, that these guarantors cannot charge a fee for this service.

The bill also amends the current legislation to expand the list of persons who are bound by secrecy provisions. The act contains provisions to increase fines to \$50,000 for individuals, \$250,000 for a corporation, and/or to impose a jail term of up to two years less a day for people who defraud the system. That is a substantially larger penalty than has been there in the past for misuse or defrauding, based on birth certificates that were incorrectly, improperly or fraudulently used.

#### 1630

Everyone, I think, will agree it is difficult to put a price on safety and security. Given the value of vital documents, we want the maximum fine to reflect the level of care consumers must take with these documents. We recognize that not all situations will result in charges being laid or in maximum fines. However, the value of vital documents must be stated clearly, and therefore the fines must reflect the care we must all take with these documents. Protecting vital documents is essential if we want to protect the freedom of the people of Ontario.

First and foremost, Ontarians can help protect themselves, not through any miracle of technology but through simple, sound, day-to-day practice. We know that many people carry their birth certificates in their wallets at all times. I can tell you that I was one of those. I say "was" and I'll share with you why. We strongly advise ending the practice of carrying your birth certificate in your wallet. Why? People should keep vital

documents in a safe place and only carry them when they are absolutely needed—when you travel, for example, or to make application for a passport or some other important activity. So keep your birth certificate, I say to people at home and here in the gallery, the original document, in a safe place. If you need it for reference, take a copy for your wallet and only use it if you're using it to cross the border or applying for your passport or other necessary elements.

A lesson we sadly learned is that the crime of identity theft can be used to cover many kinds of illicit activities. The last thing we want, as any person in the society we live in, is that our document be used fraudulently to create a whole other identity for some other person who is not ourselves. That's what we want to stop.

As much as we wish that the tragic events of September 11 had not happened, they have forever changed our time. While we have no evidence that Ontario vital documents have been misused to assist in any acts of actual terror, we believe it is prudent to move quickly to increase security on these vital documents.

We believe the fundamental rights to security and freedom start with the assurance that people are who they say they are. Bill 109, this bill, is a large step in the right direction. This legislation will better protect the people of Ontario. As the Minister of Consumer and Business Services, the Honourable Norm Sterling, mentioned, some constructive suggestions have been made during clause-by-clause review and have been added to the bill to make it more efficient. The regulations that follow this can make it an even tighter and better and more effective bill.

This legislation is a good balance to keep open a society such as ours, while protecting it from potential harm. For this reason, I ask and am proud to ask for support from the members of the House for this bill—which we seem to have—but also from the members of the public, who I think and I hope will appreciate the fact that this bill will help make it safer for all of us as individuals so that we can continue to be who we actually are and to continue to ensure that other people will not rob us of the most important element of who we are: our identity.

**Mr Joseph Cordiano (York South-Weston):** I am very delighted to speak to this legislation, a piece of legislation which we wholeheartedly support, naturally, because we originated this legislation on this side of the House. It was the member for Ottawa South, the leader of the official opposition, who, when questioning the minister some time ago about the possible breach of security that would be permitted, given the lax nature of obtaining birth certificates—when we were alarmed about that, the leader of the opposition asked a question in this House of the minister. We're delighted to see that legislation is resulting from that questioning on that day.

Come to think of it, there have been quite a few bills that have originated from this side of the House. My good friend the member for St Paul's put forward a private member's bill on toy gun legislation. The gov-

ernment saw fit to adopt that. The member for Sudbury put forward a bill dealing with the concerns around teenage prostitution. The government also incorporated and included that in its legislation and made law. I think of another time when I brought forward intercountry adoption legislation and the government saw fit to use that legislation to bring about changes for intercountry adoptions. Unfortunately, they didn't go all the way. They imposed a \$925 head tax which we still find very offensive. I think they should eliminate that head tax. As well, my good friend the member for Brant, Mr Levac, brought forward a proposal to have all municipalities have emergency plans and train their employees in emergency situations. I think the government is moving forward on that idea as well.

As an opposition party, we've been very proactive and we have put forward a number of innovative ideas for legislative changes. It's good to see that the government is moving forward on those. The only thing I would ask is that we get some credit for it. After all, we brought forward some of those initiatives. Certainly with respect to this bill the leader of the official opposition has to be given some credit for alerting the government to this problem with regard to birth certificates and how they can be used, how easy it is—or it was, before this legislation—to obtain a birth certificate simply by making an application and stating—there were simple questions, such as date and place of birth, mother's maiden and married names, father's name, and name of applicant. That's all that was required to obtain a birth certificate. We saw that as a glaring omission on the part of our process of obtaining a birth certificate, a very essential document which does make fraud very possible.

As was stated by other speakers earlier, a birth certificate is the basis for other documents. It does establish a person's identity in our society. It is a vital statistic, so therefore we're delighted to see that the government has taken this initiative to tighten up the measures around obtaining a birth certificate.

**1640**

The events of September 11 unfortunately have profoundly changed our world. We have a less carefree attitude, and that's not a good thing. It's not something we can change, however. I can recall, when I was first elected in this Legislative Assembly, that there wasn't even the kind of security we see in this building that exists today. Back then there were very few checks on who came into this building. There was freer movement of people coming and going. There were no passes required. There was very little screening of anyone coming into this facility. That was a different time. It was 15, 16 years ago that we're speaking about. Of course, I've aged since then and I've been here for that long, but I think it's within a short period of time that we speak of when we say there has been profound change as a result of the events of September 11, and things have changed progressively over the last number of years where all institutions have had to tighten up their security measures. That is an unfortunate thing.

Around the world we are seeing the rise of extremism. That's what's causing what I believe to be an encroachment on our freedoms and our liberty: our freedom of movement, our freedom to go about our business in a carefree kind of way. That's no longer possible. So we have to take these measures with respect to tightening up security, tightening up the process for documents that are essential. These are very vital documents that form, as I say, the basis for all other documents.

But I think the government hasn't gone far enough. I can recall just a short period of time ago when there were all kinds of health care fraud being committed, to the tune of at least \$500 million. I was chairman of the public accounts committee in this Legislative Assembly; we dealt with that matter. Health care fraud was a growing concern in the early 1990s. People were obtaining health cards at an alarming rate. There was no accounting for the number of cards that were out there among the public. This became a huge, huge problem: cross-border shopping of health care services in Ontario by people coming across the border and accessing our facilities, which they had of course no right to, legally. Again, there were problems with other types of identification.

I think the time has come to go beyond just these measures with respect to birth certificates. I believe it's important for the government to look at new technology and incorporate that for all of the documentation and all of the identification needs of the Ontario public. It's important that we begin to incorporate some of the smart technology that exists out there, and maybe look at biometrics to be incorporated for identification purposes.

Some of these do have some controversy associated with them, but we now live in a different time with a different set of circumstances where I believe it is important for people to clearly be identified as to who they are, whether it comes to accessing health care services, whether it comes to birth certificates or passports. We need to establish a better identification system in this province, and smart card technology would help us to do that.

Currently, Ontario hospitals still issue their own health cards for the purpose of visiting one of their facilities, and there is duplication. You could have records at one hospital and then records at an entirely different hospital, if you visited different hospitals. There isn't the capacity in the system currently for the health care system to have an integrated information system so that information could be easily accessible by health care workers who may be required to look at that information that's vital to them. So I believe that all of this should be dealt with through smart card technology and therefore we can clearly identify individuals who are accessing health care. There was fraud in the past, and I don't believe we've done away with it entirely. There continues to be identification fraud with birth certificates and the like, so I think that is something that needs to be examined in due course by this government.

This legislation, as I say, goes quite a way toward making the changes that were suggested by the Leader of

the Opposition. The idea of requiring a guarantor to corroborate and identify an applicant is a good idea. That does not seem to be too onerous a burden to be placed on any citizen. It should be easily accessible for people in a community to go to the various individuals—that includes school principals, doctors, lawyers, university professors, nurses and ministers—who would qualify to be guarantors, just as you would be required to have a guarantor sign your passport application. All of us are familiar with that, and I believe that is not too onerous a requirement.

The requirement to notify the registrar general when a birth certificate is lost or stolen: that too is probably not too onerous a task. I can recall having lost my birth certificate some time ago, years ago, and being required to apply for another birth certificate. I suppose that information is useful. It's centralized information, and the registrar general can keep track of that. That's a good thing. We are concerned, however, that an amendment be made to the act to give an individual the right to a hearing if a birth certificate is lost or stolen—in that case, the cancellation of a birth certificate must not be conducted automatically—that a hearing be held, and that person have a right to a hearing if so requested by that individual. That amendment should be made.

We're also concerned that an amendment be made with respect to removing the discretion of the registrar to decide whether a party has an opportunity to be heard so that the registrar does not have that sole discretion. We want citizens to have the right to be heard and not give that discretion entirely to a registrar. That is very important, because we don't want the cancellation of birth certificates to occur without a hearing, if that hearing is requested by that individual.

Further, an amendment should be made to prohibit the use of disclosed information for commercial purposes. We don't want anyone to profit from the sale of the information that is gathered. That just wouldn't be the right thing to do.

We believe there is enough protection of privacy under the act: that the registrar general collects this information from institutions and that the collection and retention of this information is covered under the Information and Protection of Privacy Act.

In addition, there are additional fees. The minister has spoken about the fact that there will be some time required for new security procedures to be put in place, and he's talking about an additional \$5 million or \$6 million that will be spent to make these changes. I hope that the new fees will not be exorbitant.

I suggested to the minister as a practical matter that somehow these cards that are issued be made of a different material. It may seem like a minor problem, but I know that my children, for example, apply for a great many undertakings—going for various lessons or joining different teams—and it's often required that they produce a birth certificate for those types of activities. These cards are easily consumed. They are very flimsy cards. They are not very durable. I think that is a very minor

problem, but I'd like to raise it because my wife has often repeated her irritation at the fact that these cards are falling apart, and that's an important thing, particularly for children. I think the minister needs to look at that. It shouldn't cost a great deal of money to have these cards made of some more durable material so that they are longer lasting.

1650

Having said that, I hope that the minister does not impose extraordinary fees for applying for an additional birth certificate. God knows, this government has imposed additional user fees of all kinds. Currently there is a great temptation by this government to increase its revenue base, because we know of their lust to cut taxes, which is entirely inappropriate at this time. With the advent of a new tax cut in the form of a \$2.5-billion corporate tax cut on top of the personal income tax cuts to the tune of another billion dollars, not to mention the fact that there is an additional \$300 million being taken out of public education to support privately funded schools, is a lot of money that's being taken out of the coffers of the finance minister right now.

I know these additional security measures, along with the additional measures that need to be taken by this government to ensure we have access to the borders so that trade may continue to be foremost in our economic activities, are very vital to Ontario's economic health. We cannot permit anything to get in the way of our future economic growth, so security measures like this are very important.

I have to say that the government moved very quickly on this, I think partly because of the low cost involved here. There isn't a huge cost associated with making these changes, but there are other measures that the government needs to take. Infrastructure spending is very important. We've also called on this government to deal with the road in Windsor, Church Street, leading up to the Ambassador Bridge. It is a nightmare to get through. There are traffic lights leading up to the bridge to enter the United States. It is unbelievable that we should have a situation where that is not really a highway with unrestricted, unfettered access to the border. Those changes should be made by this government. That road should become a highway. It should be unfettered access; there shouldn't be stop-and-go traffic there is on that stretch of road going through the city of Windsor. That is causing all sorts of delays and only contributes to the delays at the border.

We believe that type of investment is important. When we talk about spending on infrastructure to improve our economic efficiencies, that's a very reasonable proposition we've made as an opposition party. I suspect the government has looked at that, and it costs additional dollars. But that's the sort of investment that should be made, rather than cutting taxes at the present time.

We're taking about a \$2.2-billion corporate tax cut. I venture to say that many corporations will not be making a profit this year, unfortunately, or next year. I hope that's not the case, but the prospects are that the economy

is slowing down. So many of these corporations will not be paying corporate taxes and, as a result, will not be able to take advantage of that corporate income tax cut. What it really means is that there isn't going to be a stimulative effect for the economy. It really means that this money will not go toward that cut in taxes.

I think the government will have additional revenues that may not be spent as it foresees. So those monies, those revenues, should be put to work on infrastructure, such as building unfettered access to the Ambassador Bridge in Windsor and shoring up additional roads along the way and other kinds of measures that need to be taken to have unrestricted access to the border. That's the focus this government needs to take. At the present time, with respect to the economy slowing down, that is the kind of investment we need in Ontario.

I'll share the remaining time with my other colleagues.

**The Acting Speaker:** Further debate?

**Mr Peter Kormos (Niagara Centre):** As has already been indicated, we support this legislation. We have some misgivings, as have been indicated to you, by virtue of the—

**Mr John Hastings (Etobicoke North):** So you won't be supporting it, I guess.

**Mr Kormos:** We're going to support it. We're not only going to support it, we're going to support it at 6 o'clock today. There's a vote tonight, at 6 o'clock, and I suggest to you that somebody sneak out and let the whip know that there's going to be a need for all Tory backbenchers to be here in their caucus. Until my office notices, by virtue of monitoring the television, I have no briefing notes whatsoever with respect to this. I'm going to speak to the bill in the broadest terms and tell you why New Democrats are supporting this amendment to the Vital Statistics Act.

Do I need briefing notes? What in the world would I need briefing notes for? Why would my staff guarantee that the briefing notes on this obscure and rather dry piece of legislation are here in front of me? I haven't got the slightest idea why my staff would—

*Interjection.*

**Mr Kormos:** Vital statistics is incredibly dry. But it's lively stuff; it's all about the births of children and it's about the sort of things that we're compelled—not compelled, but the fact is that more often than not we're eager to file with the government to ensure that there's a document there. We were talking the other day about archives. You remember that, Thursday morning? As a matter of fact, the member from Perth was talking about archives, recognizing the role that archivists—

*Interjection.*

**Mr Kormos:** The member from Perth, whom I like—need I say more? I don't want that to be used to his disadvantage, by any stretch of the imagination—brought forward a bill on Thursday morning, using his hour during private members' public business, with respect to archives. It passed with all-party support. I hope it winds its perilous way through some speedy committee work, very speedy, so it can perhaps—I think one of the

interesting things that would happen at committee would be some presentations from people doing archives. Again, I'm talking about vital statistics, because the records that are kept by vital statistics are, among other things, an important part of the archival resources of the province.

One of the things that the member from Perth mentioned in his bill about—and this isn't in my briefing notes. I know it's not in my briefing notes, because I don't have any briefing notes on this act before me. You see, when it's areas in which I have—I wouldn't dare call it "expertise," but let's say "familiarity," I have no need for briefing notes. In areas around vital statistics, like, I suspect—and I'm not sure whether any other members of this chamber stood up and spoke to this significant bill without the benefit of briefing notes. I suspect not, and I wouldn't expect them to. This isn't the sort of thing—

*Interjection.*

**Mr Kormos:** That's right, it isn't the sort of thing that we're involved in professionally. But I do want to speak to the archival need and the archival interest that's embraced by the Vital Statistics Act. In view of the fact that I don't have any briefing notes, not one, not a single reference to this bill, and my colleague Mr Prue from Beaches-East York was so generous as to give me more than half the time allotted to our caucus, 28 minutes rather than the 25 or 20—I would have been more than prepared to have let the member for Beaches-East York utilize a far bigger chunk of the time. He's got things to say; I'm sure he does. For him to have cut himself short to accommodate me in most circumstances would have been perceived as a gesture of such grand generosity. In these circumstances, I'm not sure that my colleague from Beaches-East York was demonstrating generosity or whether it was an aspect of Mr Prue that I hadn't encountered before and certainly hadn't expected of him.

1700

This reminds me, there's a story, and it has acquired urban mythology. The first time I heard it was back in the late 1960s, early 1970s. It was an American congressman or senator who was known for his slothfulness when it came to doing his preparatory work. He was going to deliver a 10-point speech at Madison Square Gardens, some huge venue, on his 10 points to end the war in Vietnam. He had acquired this reputation of laziness among his staff, who resented the fact that they worked incredibly hard writing speeches—because, yes, when you're a senator, people write speeches for you—and he wouldn't even open the briefing book until he got to the venue.

So he flew from Washington or New York or took the train, perhaps, with his briefcase and with the elaborate folders that even cabinet ministers get containing these sorts of speeches, his 10-point plan to end the war in Vietnam. There was a huge crowd in Madison Square Gardens, and he stands up and he's going to be the hero of the day with this novel approach. He opens his book and there's page 1, and he goes to the speech and he says, "On point 1," and he reads that. Then he turns the page to

point 2, and the page is blank, but somebody has handwritten, "Now you're on your own, you SOB." I feel a little bit like that senator today, right here and now.

**Ms Marilyn Mushinski (Scarborough Centre):** I'm being entertained.

**Mr Kormos:** Ms Mushinski finds this very humorous. I understand why she would find my discomfort rather pleasing. This may have made her day.

But the archival value: one of the things that's important when considering and contemplating the Vital Statistics Act and the types of records that we keep—and of course, as you know, the whole procedure, the whole operation, was moved up to Thunder Bay. I've got to tell you, I have met many of the staff up there. The Thunder Bay operation is staffed by incredibly hard-working, committed people, and they are getting Purolator packages—Purolator more often than not—from our constituency offices and, I'm sure, everybody else's. One of the things our constituency offices do is—I'm sure all of ours, everybody—you inevitably get the last-minute phone call from good folks who have worked hard to earn a vacation. They're going to Mexico or whatever and they say, "Yikes, we don't need a passport, but we need a birth certificate," and they discover, my goodness, there is no birth certificate. So what you do is you zip off, you fax the request for a birth certificate, you Purolate a hard copy of it up, you give the people up there a phone call and you've got incredibly prompt, responsive service.

One of the other things we do is help people who have lived all their life with a particular first name and surname but their birth certificate similarly all their life has contained a misprint, an incorrect spelling, and they finally decide, "Heck, I want to get this cleared up and corrected." One other thing our constituency offices do is help folks like that who want to simply update or correct their birth certificate.

I have no issue with the fact that there's a strong need for integrity in the Vital Statistics Act area. There's a strong need for the system to be secure. One of the scams, as we've known it for a long time, is people improperly applying for identification that isn't theirs. It's used by fraud artists; it's used by people running from the law, if you will; it's used by people for any number of nefarious purposes. That suggests and confirms an incredible need—here's Mr Phillips. I'm not sure he has any briefing notes for me. My staff shouldn't rely on Mr Phillips to bring briefing notes. My staff should please bring them down here so that my comments on the Vital Statistics Act will be specific, rather than broad, will be narrowed down to some very pointed criticisms, as I am wont to do so often. I'm sure the briefing note, were I to have it—

*Interjection.*

**Mr Kormos:** We'd better hope this isn't 17 hours. If I had the briefing notes in here, on my desk, I would be able to speak with specificity about the two issues in this bill that have been raised by other members of the New Democratic Party caucus, in terms of areas of concerns.

Once again, we support the legislation, which is why our critic, David Christopherson, said that when he spoke to it on second reading, and similarly, why we're acknowledging that this debate can end today.

Look, here we are. Not every member of the caucus is going to speak on third reading. This is third reading this afternoon. Mr Prue is going to speak to it and I'm going to speak to it. We've obviously got seven other members of caucus. That would protract this debate over a lengthy period of time. We're not going to be dilatory, nor is our strategy dilatory, around this bill, the Vital Statistics Act, Bill 109.

But understand, Speaker, that while from time to time there is legislation, because it is so straightforward and to the point—I don't need the briefing notes that my staff neglected to give me and/or put on my desk. I'd like people to think that, but it would be so nice if my staff, or somebody from the caucus office, were to bring briefing notes down here so I could speak to those two issues of the Vital Statistics Act about which the New Democrats have concerns, notwithstanding that we're going to support it.

Does Bill 109, the Vital Statistics Act, require that every member of caucus speak to it? No. Other members are quite prepared, almost by proxy, to delegate that responsibility—in this case, to Mr Prue and to myself this afternoon. There's going to be a vote at 6 o'clock. I'm confident that every member of the House is going to support the bill. I'm confident it's going to be a voice vote. There's no need for a recorded vote; that's a given.

But why, in the name of fairness and justice, would anybody want to abbreviate debate around the Ontarians with Disabilities Act, for instance? Why would anybody want to restrict the rights of members to speak to such an important piece of legislation—I'm talking about the ODA—which is the subject matter of so much concern and criticism?

We don't mind basically abbreviating our remarks to the Vital Statistics Act—because there's a general consensus here—but for the fact that in this bill the registrar general is empowered to share information with, listen to this, “any agency, board, commission, corporation or other body, inside or outside Canada.” Understand what the powers are here that are given to the registrar general. It, in effect, overrides the Freedom of Information and Protection of Privacy legislation. You heard earlier how I talked about the need that our record-keeping, our data-keeping, our information-keeping be secure, be maintained at the highest level of integrity. But here we have a bill wherein the registrar general—that's the person who's in charge of all this stuff—is empowered to share information, any information it has—birth, death, change of name—with any agency, board, commission, corporation—understand this; that clearly implies private sector corporations—or other body, and not just inside Canada but outside Canada too.

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I know the American people are our friends, but I'm not ready to surrender the integrity of our institutions,

like the institutions around the keeping of those Vital Statistics Act records. I'm not sure the door should be opened to them by way of the empowerment sections in this particular bill.

These matters were addressed at committee and the concerns were addressed at committee. Regrettably, the government members did not see fit to respond to the concerns that were expressed very articulately about the capacity of the registrar general, the person in charge of all these statistics—the government members clearly weren't sufficiently impressed or were compelled to reject them.

The other concern we have is that the registrar general may cancel a birth certificate and there's no requirement that the person whose birth certificate is cancelled be informed, and therefore no opportunity for them to appeal the decision. We understand the government's argument in that regard. We understand the rationale given by the government. The government says that a criminal using a fraudulent birth certificate may use it to travel to and from, across the border.

**Mr Ted Chudleigh (Halton):** On a point of order, Mr Speaker.

**Mr Kormos:** Is this a quorum call?

**Mr Chudleigh:** I was going to call quorum, Peter, but I have four guests with me: Sandy and Rick Morrow, and Darryl and Trudi Demille. I brought these people all the way from our great riding of Halton. We came in, Peter, when you were speaking and we kind of hoped you'd put on a show for us, but you're really kind of falling a little flat today. Maybe you could pick it up a bit for the sake of my guests. Thank you very much, Mr Speaker.

**The Acting Speaker:** We welcome you to our Legislature this afternoon. That was not a point of order.

**Mr Kormos:** But Speaker, it's a point well made. It may not be a point of order, but it's a point well made. I tell the member, Mr Chudleigh, who's from Halton, that I'd be more than pleased to accommodate him, but you intimidate me, Speaker. The last time I was speaking in front of you, of course, you know I went to great lengths to criticize Dalton McGuinty and the Liberal Party for continuing to exclude Madame Boyer from their party. What did I get for my efforts to come to the support of the citizens of Ottawa-Vanier who have been denied their effective representation here in the chamber? I had the minister of what was formerly consumer and commercial relations stand up on a point of order and say, “The member for Niagara Centre has no right to speak to that.” That was the government member who stood up and tried to gag me, tried to control what I had to say. I was quite frankly speaking very much in context. You'll recall the bill. I was speaking about the need to debate legislation.

I'm pleased to join the member for Halton in welcoming his guests. They will undoubtedly return home and talk about how this chamber is a hotbed of heated debate, that score upon score of members of the provincial Parliament are at their desks listening carefully to the matters being discussed. They're undoubtedly going to—if the Speaker's starting to stand up, I'm going to slow down. OK, thank you kindly, because—

**Mr George Smitherman (Toronto Centre-Rosedale):** He's stretching.

**Mr Kormos:** No, as I say, I was going to tell you, what happened when I was prevailing upon the Liberal caucus to return Ms Boyer to their caucus, was the Speaker went after me. The Speaker chastised me. He admonished me, to the point where I walk into this chamber now with trepidation, Speaker, when you're in the chair.

**Mr Michael Bryant (St Paul's):** Just speak the truth.

**Mr Kormos:** Look, I am so nervous about remaining so fine-tuned and on point that I may well have lost some of the broader perspective around any number of issues that come here.

**Mr Chudleigh:** And the fire in the belly.

**Mr Kormos:** And, yes, member for Halton, has that cramped my style? Yes, the Speaker's rulings have cramped my style. Far be it from me to challenge the Speaker, because I have highest regard for the Speaker and I respect him. But if the truth be known, he's been cramping my style as of late.

I've been doing my best to stand up in this chamber and address as broad a range of things within the ambit of one particular piece of legislation as possible, but my wings have been clipped, if not broken. I'm sure they'll recover, though there might be some scarring. But in short order I'm confident that with the right kind of mental attitude, I can be back in full flight—and maybe if from time to time the Speaker would cut me a little slack. That's all I ask for: just cut me a little slack.

This is supposed to be a place of debate. Look at all the people here. Look at all 103 seats occupied by the members of their respective ridings, actively participating in this oh-so-exciting debate about the Vital Statistics Act. Some of these members could well have been on their way home by now. But no, they're not going to go home; they're going to stay here until 6 o'clock. Some of these members could well have said, "Ah, it's 5:00, 5:15. I might as well start cleaning off the desk and getting ready for my long weekend: Thursday, Friday, Saturday, Sunday." No. Look at the members in here. Look at the people in this chamber listening to this oh-so-important debate. People are glued to their seats. People are rapt with attention. People are eager to stand up and rebut my comments.

Yes, people are making notes of what's being said. They're preparing their own speeches. Look, there are government members who could be relying upon the briefing notes prepared by their research office. No. Members are sitting here reading the Vital Statistics Act, every section of it, every page of it. They're referring it to the sections that it amends. Desks here are piled high with copies of the Revised Statutes of Ontario so that individual members can personally, intimately, directly assure themselves that what they're voting for is good legislation.

You haven't seen a chamber like this before in your life, Speaker. That's an understatement, isn't it? You haven't seen such enthusiasm about being here in the

chamber until 6 o'clock, on a Thursday yet, as you witness here this afternoon.

Members keep pouring in. The occasional ones who have to run out to do radio or television interviews or to rescue constituents from the clutches of this government's bureaucracy or its tentacles are now coming back in because they've done their task out there for their constituents. They're eager to get back into this chamber and engage in the debate.

This is a place of—well, quite frankly it's a place of oratory. I sit here when other members are speaking and I'm just amazed and impressed at the oratorical skills of every single member in this House. There isn't one member in this chamber who couldn't deliver a one-hour speech off the cuff and at the very least appear to make it seem somewhat relevant to something.

After I finish speaking—my goodness, I only have four minutes left—then it's going to be a Conservative backbencher's opportunity to speak. I'm going to sit here listening and waiting for some enlightened and novel interpretation of Bill 109, one that hasn't been expressed yet. I know that all these people sitting to my right and all these people sitting in front of me will be doing the very same thing. We will be looking for that enlightened, novel, unique perspective being delivered that may cause us all to pause.

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Earlier today we agreed that this debate was going to carry on through the afternoon, with a vote at 6. There could well be a government member stand up and seek unanimous consent for the debate to continue on to the next day. Ms Mushinski might stand up and say, "No, because of the revelations of one of my colleagues"—one of her own colleagues—"we cannot terminate the debate on Bill 109 today. This warrants more debate, more consideration," perhaps unanimous consent to refer it back to committee, perhaps unanimous consent merely to carry on the debate to ensure that every government backbencher, every one of them, has a chance to speak to this bill.

I want to tell you, the government House leader was troubled by the fact that she was plagued by the number of people who wanted to speak to this legislation. She was. We were at a House leaders' meeting this morning. The Minister of Education, who is also the House leader, who is also an enthusiastic advocate for her choice as leader of the Ontario Progressive Conservative Party, and who, I must say, has joined the majority of her cabinet colleagues in caucus in doing so—that's not to say other leadership candidates don't have support. Mr Clement has support. One of his supporters is here from the caucus; the other two are not.

*Interjection.*

**Mr Kormos:** I'm sorry; all I know is what is read in the papers. Mr Clement is here. One of his supporters is here, Mrs Molinari; the other two aren't. That's because they're outside attending to emergency critical business with their constituents. They haven't left for the day. No. They're not sitting in a House leader's office or in a

caucus room eating popcorn and drinking cold milk. No. They're out there doing important work for their constituents and I'm confident that every one of them is going to be back here at 6 o'clock to show their support for the bill.

One of the things this government fears most is quorum calls. You ought to see the scurrying that goes on out there, because when there is a quorum call, I'm out there in the hallway too, trying to find government members so they can get them in here. I feel like I'm doing their whip's job, because a quorum call forces me out into that hallway looking for government members, because far be it from me to want the House to effectively fall, not for the purpose of ending the government's tenure but for the purpose of the day. I suspect right now if I moved a motion to adjourn there might well be majority support for it. You might well find government members saying, "My goodness, motion to adjourn sounds not shabby at all." Our American friends are enjoying Thanksgiving—is that yesterday or today?

**Mr Chudleigh:** Today.

**Mr Kormos:** Today. I'm sure there are enough people here with American family, with American friends, that they feel out of a sense of solidarity with their American sisters and brothers that they should be doing the same.

So there you go. I've laid it all out for you beyond any doubt. New Democrats are supporting this legislation. We have some criticisms of it; we wish they had been addressed—

*Applause.*

**Mr Kormos:** We've got 30 seconds, Ms Mushinski, and I need more than you applauding if it's going to make any effect or impact on the television broadcast.

**Ms Mushinski:** Don't hurt my feelings now.

**Mr Kormos:** No, one person applauding is only a little bit more than one hand clapping.

We're supporting the bill. I welcome the visitors to the legislative chamber this afternoon. I'd invite you to come back on a heated Monday, Tuesday, Wednesday question period where you'll see a slightly different ambience, sense a slightly different environment here.

Thank you kindly, Speaker. I appreciate the time to speak to this.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate. I must also say I welcome the Morrows here as well. He's my old high school chum. We played on the same football team. It must have been 30 years ago now or so. We were at London Central.

I've often spoken about my old high school. I think when we first went there the president of the student council was David Suzuki, if I'm not mistaken. The president after him, I think, was Jerry Grafstein, who is the senator leading the delegation to New York next weekend which, incidentally, my daughter, grandson and myself will be going on. Anyway, I'm pleased to see the Morrows here, although on the wrong side of the House. I know they are supporters of another party, but nonetheless are still good friends.

I'm pleased to participate in the debate on this issue. It's an important issue. My leader, Dalton McGuinty,

pointed out that there was a substantial problem in the issuing of birth certificates in the province of Ontario. It becomes particularly important when, if there isn't caution taken on the issuing of a birth certificate, it can provide someone who unlawfully or inappropriately gets one access to a whole bunch of things, particularly post-September 11, when all of our concerns about terrorism have been significantly heightened. So I'm very pleased that the government has chosen to come forward with some proposals to, we think, very much tighten access to birth certificates that will, by and large, prevent illegal and inappropriate issuing of birth certificates to people who shouldn't have them.

What I might point out to us is that what this exercise has proven, certainly to our party and I think the Legislature, is that there are examples now, as we move in the province of Ontario to obviously adopt technology, to "eliminate red tape" and to speed up the way we do business, all of which all of us should embrace and do embrace—we've always said, I think certainly in the Liberal caucus, that governments have to be able to change at the same pace as the rest of society. As our business communities and society are changing at an enormous pace, we have to find ways that governments also are able to keep pace. The governments of the 21st century—successful governments—are going to have to demonstrate that. But it does present some serious challenges for us. I will just use three or four examples to illustrate the problems with the broadly based access to technology.

As you know, there is a large number of organizations now that, if they get a licence plate off a car, are able to access who owns that car and where they live. I believe it's credit agencies and organizations like that that have access to that. It's a source of revenue, actually, to the government of Ontario. But then we realize it presents problems, for example, for our police organizations. Gangs and organized crime have been able to simply visit the parking lots of our police organizations, take down the licence plates of police officers, and track them down. For our police organizations that's extremely unnerving, as you might imagine. There's a police station just half a block from where I live, and they've now put a substantial fence around the parking lot to provide some security.

My point is this: the government, for a source of revenue, has sold access to that information, and in some cases that's quite appropriate. But we haven't thought it through well enough to know that it has some unintended negative consequences.

Right now we have enacted a law that says all people who work in our education system must be subject to a criminal background check. I believe that will be done, in the very near future, exclusively through fingerprinting.

1730

Police organizations are adopting technology now that says we'll do our criminal background checking on the basis of fingerprinting. What that inevitably means is that every teacher in the province of Ontario will have to be

subject to fingerprinting. So, again, when we debated that legislation here in Ontario, we did not do it within the context of our police organizations adapting modern technology, quite rightly, and they are moving very quickly to using not names and photographs but fingerprinting. As I say, the experience we had with the birth certificates should remind all of us of the speed with which we're moving.

We're debating the budget measures bill, I think it's called, and it's a very thick document. One part of that document is on the 407 extension, the 407 act, and as we look in that we find that the 407 corporation, a private corporation, pays the government of Ontario \$5 million or \$6 million a year for access to the driver licence information package. That is how they send bills to people. They purchase, from the province of Ontario, all the information on who owns what licence plate and what the address is. That was done deliberately here, but now we find that the 407 corporation is providing that information to US toll road owners. So what we thought was simply a fairly straightforward decision—that the province of Ontario will sell to the 407 corporation information for them to collect 407 tolls—has now gone one step further. That information is being used to help organizations collect tolls paid elsewhere. I use that as another example.

We've passed legislation here where now there's substantial cross-referencing of information between the federal government and the provincial government on income and things like that, but also among ministries now so that we have far more cross-referencing of information. I don't think the Legislature has spent nearly the amount of time we need to spend in terms of—as we move at this pace—aggregating our information and technology and, as we provide more and more access to that, and as we look to replacing humans doing these tasks with technology, we're running into these unintended consequences. One of them was this birth certificate issue, where quite clearly one could inappropriately access someone else's birth certificate with incredible ease. But that's just the tip of the iceberg, in my opinion.

I use one of the more recent examples where some of our police officers have found that organized crime and gangs have had totally inappropriate access to information on where they live and other information.

We had an example where a Province of Ontario Savings Office provided information to a polling company, giving the polling company virtually total access to people's accounts. They knew how much money you had, how much money you had invested in POSO. All sorts of personal, highly confidential financial information was put out to the public—when I say “the public,” put out to an organization, a polling company.

What should we be doing? The reason for this bill is really to patch up a clear, obvious problem. If I might add, it was my leader who pointed out the problem. The government at the time simply laughed and said, “That's not true. It can't be happening.” And sure enough, it did happen.

I can guarantee that this is merely the tip of the iceberg. I would hope the Legislature would begin to consider how we now take a more comprehensive view of this.

I can give you the more recent examples. We began debate less than 24 hours ago on this budget measures bill, and within that bill is a provision that allows the sharing of Ontario driver licence information with US toll road owners. I don't think we ever intended, when we sold that information to the 407 user, that it would be used that way. I'm repeating it, but when we gave credit agencies and others a chance to track down people simply by their licence plate, we never intended that organized crime or others could use that very same database to find out the home addresses of our police officers.

As we move to approve this bill, I would hope the government would consider how we now will take a more comprehensive look at this. As I say, we have approved a lot of legislation here that provides access to information, and often for very good policy reasons. For people who are delinquent on their payments of family benefits, we provide far more access to that now for information, making sure we understand the various cross-references between ministries. But I can assure us that in doing that, we are putting at substantial risk information that should and must be kept confidential.

I also repeat the example of the teachers. If you talk to people in the business of doing criminal background checks now, they will say that in the future that's all going to be done, not by names—and for obvious reasons. In fact, today the bill we're dealing with illustrates the reason why you can't do a background check on the basis of names, because it simply has been so easy to obtain an inappropriate birth certificate. But police organizations in the future will no longer be doing it on the basis, as I say, of names or photographs. Certainly in the near future, it will be done on the basis of fingerprinting. I gather that, longer term, there is even more sophisticated technology than that.

When we dealt with school security, we did not debate the fact that in the future all teachers in the province of Ontario are going to have to be fingerprinted. I don't think any of the teacher federations commented on it, that I can recall. Certainly I don't recall it being debated here in the Legislature. My point is that technology now has caught up in other areas and will impact it.

This bill has the full support of our caucus. It fixes a problem that my leader pointed out. But it raises another, bigger issue, and that is how we are going to collectively deal with the speed we're working with on technology and make certain that we have a coordinated approach to it. We have a special responsibility here because there are very few enterprises—none at all, really, that I can think of—that deal as comprehensively as we do and with such overlap, more so even than the federal government.

So I say to us, it's only a very short period of time before we're going to have more examples of this. I would urge the government, on a fairly urgent basis, to

have our civil servants look at all the other areas where we may find similar instances and begin to deal with this on a more comprehensive basis, rather than just on a piecemeal basis as problems are found out and we put a Band-Aid on them. We're far better to deal with root causes.

In any event, we will be supporting this bill and look forward to the vote on it.

**The Acting Speaker:** Further debate? There are no more members who would like to join the debate on this motion?

Mr Sterling has moved third reading of Bill 109. Is it the pleasure of the House the motion carry? It is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon R. Gary Stewart (Minister without Portfolio):** I move that the House do now adjourn.

**The Acting Speaker:** Is it the pleasure of the House the motion carry? It is carried.

This House stands adjourned until 1:30 pm, Monday, November 26, in the year of our Lord 2001.

*The House adjourned at 1741.*

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of Ontario



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**Legislative Assembly  
of Ontario**  
Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**  
Deuxième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Monday 26 November 2001**

**Lundi 26 novembre 2001**

**Speaker**  
Honourable Gary Carr

**Président**  
L'honorable Gary Carr

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 26 November 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### SCHOOLTEACHERS

**Mr David Ramsay (Timiskaming-Cochrane):** In the next couple of weeks this government is going to bring in legislation that basically will recognize the legitimate activity of hunting, but I want to say to this government that it is time to ban the open season on teachers this government has held for the last six and a half years. Through Bill 80, and now through Bill 110, we see this government continually targeting teachers, having them in its sights all the time, thinking that teacher-bashing is not only good politics but is somehow going to be good for the education system. Well, it's not. What this government has done is it has demoralized the teaching profession and made the education system the worse off because of all that.

What this government has to do is to recognize teachers for the professionals they are and to work with the teachers so that they have a self-regulating association and do their own assessment and testing over the years, but to work with the teachers to do that. The teachers know they have to do it and have always believed in lifelong learning. They do that. They take their education days all year round. They take courses in the summer. They are one profession that has always been on the cutting edge of self-improvement, yet this government decides it's a great idea to pick on them and demoralize them again.

Here we are with new teachers coming into the profession, some with a brand new two-year teaching course, and you're going to have to have 14 new courses on top of that in order to get your certification. Over the 30-year lifetime of a teacher, many of these teachers are going to be required to take 98 courses that are being imposed upon them, rather than working through their own self-governing association. It's time the government stopped targeting teachers.

#### TRENT UNIVERSITY

**Mr John O'Toole (Durham):** I am pleased to rise in the House today on behalf of the member for Peterborough, the honourable Gary Stewart, the whip.

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 26 novembre 2001

I'm also pleased to inform the House of the outstanding record of consistent accomplishment made by Trent University. Today I would like to thank the faculty, staff, students, President Bonnie Patterson and the administration of Trent University for being recognized by Maclean's magazine as the top primarily undergraduate university in central Canada. This is the 11th year in a row that Trent has achieved this ranking, proving once again that it is a centre of excellence in the liberal arts and sciences.

Trent University earned this recognition by also ranking first in many other factors: awards for students per full-time faculty; class size; scholarships and bursaries available to students. Trent has established a proud track record in delivering quality education to its students, and its future looks even brighter. The faculty continues to achieve prestigious honours and awards, such as the Honda Prize recently won by Professor Donald Mackay for his research in environmental chemistry.

No doubt more students than ever will apply to Trent to benefit from its rewarding experiences, and I'm pleased the university is prepared to meet this demand. Through our government's SuperBuild initiatives and a provincial investment of \$29 million in Peterborough, 1,295 new student spaces will be available as new academic space is created and joint venture programs with Sir Sandford Fleming College are strengthened. The future looks bright.

I ask members of the House to join me in applauding Trent University for its contributions to success and the encouraging future being built for our younger generation, our collective future.

#### PUBLIC HEALTH

**Mr Dominic Agostino (Hamilton East):** I want to speak today about a shocking report in a Spectator investigation into the state of restaurant and food inspections in the city of Hamilton. Last year, only 10% of the restaurant and banquet centres were inspected the minimum number of times as required by provincial legislation. In the year 2000, more than 100 restaurants went uninspected. This is a dangerous situation. I am here today to ask the province of Ontario to step up to the plate and properly fund public health departments in Ontario so they can do the job that they're assigned to do. The province sets the standards, but they don't come through with the dollars. They've cut funding. We used to have a funding formula of 75% provincial and 25% municipal for all pro-

grams at the public health level. Now it's 50%, and in some cases it's not even existent, it's at the province's discretion.

As a result, in the last couple of weeks we've had 12 new cases of non-water-borne E coli bacteria, mostly related to food, food safety and hygiene. I think it's even more important today for the provincial government to do its job, not only to set standards for minimum inspections of restaurants but to ensure that those standards are being followed at the municipal level. When they walk into a restaurant, people should feel comfortable that they're not going to get sick as a result of dinner or a meal they've had there.

The province has a responsibility to come through. Today I ask the Minister of Health to do his job, to step up to the plate and properly fund public health departments so we can do proper food inspections so that people can have safety and comfort when they're in a restaurant in the city of Hamilton or anywhere else in the province of Ontario.

#### COMMUNITY ENDOWMENT FUNDS

**Mr Garfield Dunlop (Simcoe North):** Today I rise and wish to speak about an important community organization in Simcoe North called the Community Foundation of Orillia and Area. Foundations like this are sprouting up across this country to provide a way to pool the charitable gifts of many donors into permanent, income-earning endowment funds that benefit local communities. Canada's more than 100 community foundations hold combined total assets of about \$1.4 billion and made over \$70 million in grants to support local priorities across this country.

The Community Foundation of Orillia and Area provides many bursaries and endowments funds, such as the Simcoe College scholarship and bursary award fund, which helps students attend the many programs at Georgian College. There is also the Tom Parish scholarship fund, which is given to an Orillia high school graduate who will be attending a college or university to continue studies in either business or the environment. In an effort to help our communities, there is the Trails for Life endowment fund, which is a permanent fund to help maintain Orillia's Trails for Life, a 10-kilometre, multi-use paved trail built in 2000 as part of the millennium celebrations.

Recently the foundation announced the Ontario Endowment for Children and Youth in Recreation fund. From now until March 2002, donations to this fund will be matched dollar for dollar by the provincial government up to a maximum of \$200,000 for the Orillia area. The capital stays with the foundation in perpetuity and continues to grow, generating income to meet the community recreation needs of our young people for years to come.

At this time, I would like to recognize the hard work of this foundation, and particularly its executive director, Ms Deborah Wagner.

#### AIR QUALITY

**Mr James J. Bradley (St Catharines):** This morning Ontario Power Generation was trumpeting the moves it is going to make at the Nanticoke and Lambton coal-fired plants. They are totally inadequate to protect the air of the province of Ontario. What they are planning to do is install selective catalytic reduction units in only four of the 19 coal-fired units to reduce their nitrogen oxides emissions.

There are two major problems with this plan. First of all, OPG's proposal will only reduce nitrogen oxides emissions for one quarter of its coal-fired capacity. Second, the selective catalytic reduction will only reduce one of the more than 30 toxic air pollutants emitted by OPG's coal plants. Under OPG's plan, its carbon dioxide, mercury, sulphur dioxide, heavy metal and cancer-causing emissions will continue to rise.

There are costs of staying with coal. According to the Ontario Medical Association, smog and poor air quality cost Ontario \$9.9 billion a year in health care costs, lost work time and other quantifiable expenses, as well as killing an estimated 1,900 Ontarians prematurely each year. Smog-related illnesses will increase, and mercury contamination is going to increase considerably. Acid rain and global climate change are wreaking havoc on our natural environment and having a direct economic impact on everything from tourism to natural resource industries. Clearly, the Sir Adam Beck hydroelectric generating station in Niagara Falls is the answer.

1340

#### DIAMOND MINE PROJECT

**Mr Gilles Bisson (Timmins-James Bay):** I want to take this opportunity to let members in the House know, but more importantly to let people in the province of Ontario know, that this afternoon, as we speak, De Beers, the mining giant in the diamond business, is in Attawapiskat meeting with the community and community leaders to let them know just exactly where they are with their diamond mine project at the Victor camp.

You would know that last year there was a great amount of drilling done at the Victor camp, just outside of Attawapiskat. Some 60 to 70 people worked there last year. The interesting part, which I think is a credit to De Beers, is that about half of the people who work at that particular project are from Attawapiskat. So I want to give my congratulations to De Beers for that.

Today we have the pleasure of knowing that De Beers is going to be announcing this afternoon that they are moving to a pre-feasibility study on the opening of a diamond mine at Attawapiskat. That means we can cross our fingers even more that there's a good possibility that if things go well this year and the pre-feasibility study is able to answer a number of technical questions about this mine, Ontario may indeed end up having its very own first diamond mine in the province.

That's good news for the people of Attawapiskat, good news for the Mushkegowuk people of the James Bay coast and also very good news for the province of Ontario because it means that where you find one mine, who knows, there may be a second or third or fourth lying somewhere nearby.

I want to congratulate all those who are in Attawapiskat today—the community leaders and the community—for having worked well together on this project. We look forward to hoping that the pre-feasibility study will actually bring us one step closer to a diamond mine.

### FUNDRAISING CALENDAR

**Mr Doug Galt (Northumberland):** I rise in the House today to recognize the efforts of more than 30 physicians from the Northumberland Health Care Centre. These doctors are raising money locally through sales of their annual Christmas calendar, with proceeds going to the new \$60-million hospital being built in Cobourg.

Last year, in excess of \$39,000 was raised from the photographs of these doctors, set in familiar locations around Northumberland county. This year, 6,000 copies have been printed as organizers hope to break last year's record.

Some of the scenes in the calendar include humorous photographs of a fictitious drive-through medical clinic and a low-tech CAT scan featuring a number of volunteer felines. Last year's calendar had the same concepts and received a warm response in areas as far north as Peterborough.

Toronto councillors will be glad to know our physicians will be keeping their shirts on for this calendar. I'm sure you will all agree that their criticism of the Toronto firefighters for baring their chests to raise money through a similar effort was rather silly.

These doctors, like their firefighter counterparts, have recognized that even simple efforts can have a tremendous impact at the local level. These dedicated personnel are an example of what can be accomplished through the efforts of a small, creative group. As a matter of fact, a copy of our calendar is being sent to the Ministry of Health to demonstrate this novel approach to fundraising.

Please join with me in acknowledging the efforts of all calendar posers, both here in Toronto and in Northumberland, for taking this initiative.

If I might, I know it's not a point of order but I would like to introduce two of my constituents who are in the members' gallery, Suzanne and John Liptay.

### HYDRO ONE

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I have one question for my friend the Premier on behalf of millions of Ontario taxpayers and electricity ratepayers, and that question is simply this: what the hell is going on with Hydro One, that crown agency that holds about \$10 billion worth of very valuable public assets?

I see from the weekend press that our old friend Ernie Eves is quite rightly saying that it is time for the public of Ontario to have a very thorough debate of all the options, all the costs, and the consequences of exercising any of those options.

We know that this potential sale of the \$10-billion asset base of the Ontario Hydro transmission grid presents a bonanza for special interests. We know from the public press that the lobbyists and the investment bankers are drooling. They are salivating. The special interests are excited in ways they haven't been in a long time.

On behalf of the thousands of people I represent in the Ottawa Valley and millions of Ontario citizens and electricity ratepayers, I say to you, Mike Harris, who is looking out for the public interests? Who is looking out for Main Street? Can you assure me that the interests of Main Street and the interests of the millions of average electricity ratepayers are not going to be badly injured in some sell-off to accommodate the powerful interests of Bay Street?

### ROBIN MEDNICK

**Mrs Tina R. Molinari (Thornhill):** I take this opportunity to recognize a very special constituent in my riding of Thornhill. Robin Mednick is the co-editor of a new book appropriately called *Heroes in Our Midst*, featuring Canadians who have overcome adversity pursuing Olympic glory. *Heroes* is a collection of 110 anecdotes by Olympians and Paralympians who tell compelling stories of overcoming various obstacles on their way to breaking world records.

When asked what writing the book had taught Robin after speaking to so many Olympians and Paralympians, she said, "When you know in your own life that you can walk and do things that most people take for granted, then you start to put into perspective the small worries that you face every day that shouldn't trouble you at all." These are inspirational words to live by.

The idea to create such a beautiful book was conceived in September of last year after Robin spent time collecting inspirational stories for her 13-year-old son's bar mitzvah. It's also important to note that all the royalties from this book will be donated to junior athletes and a charity that promotes sports education.

Congratulations to Robin Mednick on an accomplishment that is worth its weight in Olympic gold.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr Rosario Marchese (Trinity-Spadina):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill Pr15, An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

## INTRODUCTION OF BILLS

### TILBURY AREA PUBLIC SCHOOL ACT (WILLIAM J. MILLER TRUST), 2001

Mr Hoy moved first reading of the following bill:

Bill Pr1, An Act respecting the Tilbury Area Public School and the William J. Miller Trust.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried?

Pursuant to standing order 86(a), this bill stands referred to the commissioners of estate bills.

## MOTIONS

### HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Monday, November 26, Tuesday, November 27 and Wednesday, November 28, 2001, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1349 to 1354.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes	
Agostino, Dominic	Flaherty, Jim
Amott, Ted	Galt, Doug
Baird, John	Gilchrist, Steve
Barrett, Toby	Gill, Raminder
Bartolucci, Rick	Gravelle, Michael
Beaubien, Marcel	Hardeman, Ernie
Bountrogianni, Marie	Hoy, Pat
Bradley, James J.	Hudak, Tim
Brown, Michael A.	Jackson, Cameron
Bryant, Michael	Johns, Helen
Caplan, David	Johnson, Bert
Clark, Brad	Kells, Morley
Coburn, Brian	Marland, Margaret
Colle, Mike	Martiniuk, Gerry
Conway, Sean G.	Maves, Bart
Crozier, Bruce	Mazzilli, Frank
Cunningham, Dianne	McLeod, Lyn

Ouellette, Jerry J.
Parsons, Ernie
Peters, Steve
Phillips, Gerry
Pupatello, Sandra
Ramsay, David
Runciman, Robert W.
Sampson, Rob
Sergio, Mario
Smitherman, George
Sorbara, Greg
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David

Curling, Alvin	McMeekin, Ted
Di Cocco, Caroline	Miller, Norm
Dombrowsky, Leona	Molinari, Tina R.
Duncan, Dwight	Munro, Julia
Dunlop, Garfield	Newman, Dan
Ecker, Janet	O'Toole, John
Elliott, Brenda	

Tsubouchi, David H.
Tumbull, David
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Hampton, Howard	Marchese, Rosario	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 70; the nays are 5.

**The Speaker:** I declare the motion carried.

## WALKERTON INQUIRY REPORT

**Hon Janet Ecker (Minister of Education, Government House Leader):** I believe all parties agree that the report of Mr Justice O'Connor relating to the Walkerton inquiry should be released immediately upon its receipt, as stated in the opposition day motion that's scheduled to be debated tomorrow. At this time I would like to seek unanimous consent to have that question put immediately without further debate, to have Mr Bradley move his motion in order that the House could demonstrate unanimous support for that motion.

**The Speaker (Hon Gary Carr):** Is there unanimous consent?

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek clarification from you. Would we lose the opposition day tomorrow? I'm sure it's not the intent to take an opposition day away from the opposition to deal with government business, because if it was, we would not be able to agree to that even though we support in substance what's said. The debate's far too important to let go.

**The Speaker:** What could happen is the motion would give direction to the House, so if the motion indicated something along those lines, then obviously it could be included in the motion. So we'd look for guidance from the House on that.

**Mr Duncan:** On a point of order, Mr Speaker: I ask the government House leader, we would agree to that provided we could continue to have an opposition day and if the rules could be waived to allow the opposition to put another resolution with respect to that or any other issue. Clearly, if it's the government's intent to deal with Walkerton, we can do that, but if it's the government's intent simply to play a procedural game to deny us one of our four opposition days, then we wouldn't support it and we'd welcome that debate.

**The Speaker:** I often wish the House leaders could get this clarified so that we don't have to have House leaders' meetings during the House. Having said that, maybe the government House leader could give us some clear indication.

**Hon Mrs Ecker:** I quite understand the House leader's concern. This was something that came up quite quickly today. I'd certainly be prepared to try and work something out. I understand it could be rearranged with unanimous consent of the House. I'd be quite prepared to talk to the House leaders about doing that, because it was the intent of the House to try and show unanimous support for this, and that was the beginning and the end of this particular request. We could certainly try and work that out.

1400

**Mr Duncan:** On a point of order, Mr Speaker: I do apologize. I would have preferred to have dealt with this at the House leaders' meeting as well, and I apologize that this didn't happen. If the government House leader were to give us a motion that included both clauses at the same time, (1) that would provide that tomorrow could be used for another opposition day, (2) that the rules could be waived to allow the tabling of that opposition day motion and (3) asking for our support for Mr Bradley's resolution, if that was all dealt with in the same resolution, we could agree with it; if not, we'd simply have to say no.

**The Speaker:** Do you need some time to do that?

**Hon Mrs Ecker:** Mr Speaker, let's have the House leaders talk and see what happens on it in terms of where we are.

**The Speaker:** Are you withdrawing your request for unanimous consent until you iron that out, then?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** I thought we had unanimous consent.

**The Speaker:** Let's do this: let's take a moment for the clerks at the table to work with the government House leader, if they could make it not too long, though, and see if we can come up with a motion that would be acceptable to all sides. I know there is agreement, but there is some concern. If you do ask for unanimous consent later on—any member could do it—there might be some problems there. I understand the clarification.

**Mr Duncan:** On a point of clarification, Mr Speaker: So there's no misunderstanding, we have not given unanimous consent to that at this point.

**The Speaker:** We haven't actually asked for it yet. If we could take just a moment, we'll see if there's some clarification.

**Hon Mrs Ecker:** If there is an agreement, we'll work that out before.

**The Speaker:** As you know, what can happen is that it can come back at any point in time with unanimous consent, if we can get the agreement worked out. I'm sure it's just a matter of circumstances. It did come up late, and hopefully the House leaders could get together and move it. I understand the concerns of the House leader for the official opposition, that if you do ask for something, they need to have clarification. With that, we will move on and hopefully it can be ironed out between the House leaders.

## ORAL QUESTIONS

### HOME CARE

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. Minister, in a letter dated June 28 from my colleague MPP Bartolucci, he wrote to you and asked if you had any intention of eliminating the community care access centre boards. Let me quote what you responded two days later. This question is for the Minister of Health because he wrote this letter. In that response two days later you said you have "no plans to replace the board" and that your ministry "values the important contribution of our CCAC health care partners," as you called them.

Minister, it was a flat-out no to eliminating those boards. What you've done now, when you dropped that bill in the House a couple of weeks ago, is a complete reversal. That legislation is specifically designed to muzzle opposition to the cuts you're making in home care. Specifically, it's a gag order on volunteer boards. People, despite the gag order, are starting to speak out. It's an enormous flip-flop on your part. One moment you're saying you have no plans to eliminate boards, that's crazy, and the next you drop—

**The Speaker (Hon Gary Carr):** Order. The member's time is up.

**Hon Tony Clement (Minister of Health and Long-Term Care):** To the associate minister of health.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to thank the member opposite for the question. Let me say that the Premier asked me to look at community care access centres in the fall of this year. We have done a thorough analysis after having the PricewaterhouseCoopers report and the operational review report from Hamilton. In both of those reports it told us that there needed to be changes to community care access centres so we could provide the services that were necessary to provide quality health care across the province. Since that time, we at the Ministry of Health have worked together to ensure that we have a plan that will strengthen community care access centres, that will strengthen the systems within community care access centres, the accountability within community care access centres, and we will move together to provide more quality services to the people of Ontario in the community service area.

**Mrs Pupatello:** My supplementary is for the Minister of Health. This bill is a shameful takeover of local CCAC boards. It's shameful.

Let's listen to the leading candidate for your PC Party, Jim Flaherty. This is what he has to say about where health care ought to be going in this province.

"Doesn't it just make sense," Jim Flaherty said, "to let local people who understand local needs have more say about where health care dollars are spent? That's why I believe that the time has come for more regional autonomy, and coordination, in our health care system." Jim

Flaherty thinks your power grab, your gag order, your hostile takeover of community care access centres is dead wrong.

Minister of Health, where are you on this? It's a gag order, a hostile takeover, but the finance minister of this province disagrees wholeheartedly. Where are you on this today?

**Hon Mrs Johns:** Let me say first off that I'm sure the member opposite doesn't know what Jim Flaherty thinks. I know Jim Flaherty is very committed to ensuring that we have quality health care in the province of Ontario, that local needs and local people are providing those services.

Let me say that I'm not sure how the members opposite consider this a takeover. What happened in the past was that the people of Ontario funded community care access centres. They are going to continue to do that through their tax dollars. We're going to have local people on these boards who are going to make decisions about local needs. We're also going to have coordinated services so that quality health care is being provided to all in the community. I think what they say opposite is just not correct.

**Mrs Pupatello:** Well, here are some facts. The Minister of Health says on June 26 that there are "no plans" to take over boards. August 28, he writes a letter and says there are no plans to take over boards. A couple of weeks ago, he drops a bill in the House that takes over community care access centre boards. Those are the facts.

The Minister of Finance runs for leader of that party and he stands up and says that local autonomy is what health care services need in this province—not hostile takeovers, not gag orders; real community advocates in the area of home care in this province—and it's the opposite direction to where this government is now going.

I ask the Minister of Health, who is responsible for health care for working families in Ontario, where is the Minister of Health today? Is he busy running for leader, or is he more caring about what happens to working families in Ontario? To the Minister of Health, will you eliminate this bill from the docket in this House? Hostile takeovers are wrong. We don't agree. Where is the Minister of Health on this?

**Hon Mrs Johns:** Let me say that this government is committed to ensuring that we have community services, CCAC services, that will be strong in our community for many years to come.

What the member opposite fails to understand is that a hostile takeover is when someone takes over the shares, and they don't own those shares at that particular time. This government sets up community care access centres. They fund community care access centres. We have been there to ensure that community care access is strengthened, and right now what we're saying is that we need to make some changes to these community care access centres so that in the future they will have the strength to

be able to continue on and to provide good-quality services in their area.

I can tell you that all of my colleagues on this side agree that there needed to be changes to community care access centres, and we're moving forward to ensure we have a viable and sustainable community system that will be here for our generation and our children.

## HEALTH CARE FUNDING

**Mrs Sandra Pupatello (Windsor West):** My question is for the Deputy Premier. You've sent the Premier packing to Ottawa to ask for health care money. My question for you is simple, and we hope your answer will be very clear and unequivocal. Deputy Premier, we want to know just how much exactly you believe ought to be spent in health care in the province of Ontario.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Our budget on health care this fiscal year in Ontario is in excess of \$23 billion, close to \$24 billion. If the federal government is going to make the commitment it made to John Robarts when they brought in medicare in this country, a national program, it should be 50-50. That's what it should be.

1410

**Mrs Pupatello:** Deputy Premier, the answer is not clear. What we said was, how much money do you think has to be spent? We didn't ask you who is supposed to spend it; we asked you just how much money you think has to be spent in health care. Do you need to spend \$2.2 billion more, the same amount you're giving away in a corporate tax cut, or do you have to add \$500 million more, the same amount you want to give away for private school tax credits? The question, Minister of Finance and Deputy Premier, is simple: how much money needs to be spent—not who is spending it, but how much in total needs to be spent? Is it the same amount of money that you're giving away in corporate tax cuts? What is the amount you want to spend in health care?

**Hon Mr Flaherty:** I think what the member is asking for is a figure on health care. The tax cuts, stretching out to 2005, over the course of the next five years, are \$2.2 billion. That's the plan for the tax cuts. What we need from the federal government over the next five years, just to maintain the federal government's 1994-95 share, will be \$10 billion.

**Mrs Pupatello:** The Liberal caucus thinks it's amazing that this guy sends his Premier packing with a suitcase to Ottawa but he doesn't know how much he's asking for. As a matter of fact, the Deputy Premier doesn't even know how much this province needs to spend in health care. How much do you need to spend that's enough? We're not suggesting who spends; we're saying how much.

You make a hole in your Ontario revenues with your \$2.2 billion worth of corporate tax cuts and \$500 million in private school tax credits and you go running off to the feds to say, "We demand more health care." This province demands good health service. You are asking for

money to cover the holes in revenue from your corporate tax cuts. We want to know if you're going to tell the health minister the truth when you head up to Ottawa.

**Hon Mr Flaherty:** It's a sad day in the House when I have to listen to the number two person from the Liberal benches talking about health care spending. It is Monday. We may get a different figure from the Liberals later on in the week.

She thinks, apparently, that what the federal Liberals are doing is OK, but what did Mr McGuinty say? When Mr McGuinty was asked what he thought after the last federal budget, which was almost two years ago, he said, "I was personally disappointed with the budget because it does not assign the priority to health care that ordinary Ontarians have been telling me they"—

*Interjection.*

**The Speaker (Hon Gary Carr):** Minister of Finance, take your seat. Sorry, Minister of Finance. The member for Hamilton East isn't sitting in his chair. You're up close and you've got a loud voice. It's bad enough when you're two rows back. You're right up front. I can't hear the question.

Minister of Finance. Sorry for the interruption.

**Hon Mr Flaherty:** The Liberals don't believe what they're saying; they are just mouthing words. If you look at what the Liberal leader said right after the last budget, here's what he said: "I was personally disappointed with the budget because it does not assign the priority to health care that ordinary Ontarians have been telling me they assign to it. The silence from the federal government on medicare has been deafening." That's the Liberal position after the last federal budget. You have some different position today. I wonder what it will be tomorrow.

## PLEA BARGAINING

**Mr Howard Hampton (Kenora-Rainy River):** I have a question for the Attorney General. Last week we raised the tragic case of Michael Tilley, the homeless man who was brutally beaten to death and whose murderer was able to plea bargain for a lesser charge of manslaughter and a reduced sentence of six years.

Today I ask you about the case of wife killer Kenneth MacDougall.

*Interjections.*

**The Speaker (Hon Gary Carr):** Stop the clock, please. Minister of Finance, you had a chance to answer the question. I ask for order, please. We need to have some quiet.

*Interjections.*

**The Speaker:** OK, that's it, folks. The next one is out. I've been patient with you, and you push and you push and you push. Now we're going to start throwing people out. Every day you've got to do that, and every day we've got to come in here and do that because you get carried away. I ask for order; now I mean it. The next person who shouts out is going to get thrown out. If you want to be thrown out, do it.

The leader of the third party.

**Mr Hampton:** Today I ask you, Attorney General, about the case of a wife killer, Kenneth MacDougall, who according to the evidence drugged, raped and drowned his wife, Mitzi MacDougall. The crown attorney bargained away second-degree murder and then agreed to a mere six-year sentence for manslaughter. Your government's repeated rhetoric is that you're tough on crime. I wonder if you can explain to the brothers and sisters of Michael Tilley and to the three young children of Mitzi MacDougall all about your rhetoric.

**Hon David Young (Attorney General, minister responsible for native affairs):** Let me commence by once again expressing my condolences and sympathies to the families of those involved.

As for the case of the Tilleys, the member is probably aware, but I certainly wish to inform you, Mr Speaker, that I met with members of the family late last week, on Thursday afternoon. We had a good discussion. They aired a number of concerns they had about the system. We've undertaken to examine those concerns and to continue our discussion with the family.

The member knows, should know because he was once the Attorney General of this province, that crown attorneys have to look at all the evidence when a case is put in front of them. They have to make tough but necessary decisions. They have to consider the facts of the case—all the facts, not a particular fact—and ultimately they have to make decisions based on the precedents that exist and the facts of the case in question. They do that to the best of their ability each and every day.

**The Speaker:** Supplementary? The member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Minister, today we're talking about Mitzi MacDougall, a 27-year-old mother of three young kids. You've already heard that she was drugged, raped and drowned in the bathtub after she told her husband she was going to be leaving him. In this case there had been a preliminary hearing. A judge examined the evidence that was there, the evidence to be put against MacDougall the murderer, and determined that the matter should be put forward for trial on the basis of second-degree murder. Your crown attorney, notwithstanding that evidence, which included a confession, decided to drop the charge to manslaughter, and furthermore to agree to a sentence of but six years. That means a maximum of four and parole eligibility after two years.

You and your government talk tough about protecting our communities. You talk tough about crime. Why don't we see that tough talk reflected in our courts?

**Hon Mr Young:** Once again the member opposite has chosen to pick a particular case. He knows I'm not in a position to comment on any particular case. He knows I'm prohibited from doing so by law. He would be the first individual in this Legislature to rise and complain if I did comment on a case that was or is in front of the court. So he has me at a disadvantage. There should be no doubt about that.

Having said that, I, for one, am very proud of the fact that I am part of a government that has in excess of 40 programs in place that each and every day, in courtrooms across this province, help individual victims. I am very proud of the fact that we spend \$145 million on those programs and support victims each and every day.

**Mr Kormos:** Attorney General, you don't understand. Michael Tilley's murderer is going to be out of jail in no more than four years. That brutal, vicious murderer, who stomped a man to death on the streets of Toronto, is going to be walking in public in four years because your crown attorney agreed to a sentence of but six years. The murderer of Mitzi MacDougall, who was given the benefit of a plea to manslaughter after evidence had been presented that warranted a committal for trial on second-degree murder, is going to be out in no more than four years as well, because your crown attorney agreed, collaborated with a joint submission of but six years.

You're the Attorney General. You're responsible for what happens in your crown offices. You're responsible for the administration of justice in this province. I put to you that there is an epidemic of plea bargaining of the most serious charges in this province, that you are accountable and that you owe it to this Legislature and this province to explain why this is going on in our courts, in our communities, from Toronto all the way to Kenora.

**Hon Mr Young:** Thank you for providing me with an opportunity to respond. Let me read you a quote, if I may. "Crown attorneys independently make their resolution decisions, and judges independently make or approve sentencing decisions, based on facts and information that the public may or may not always have access to." Who said that? It was the member who just asked me the question. That is a quote from the member opposite. He talks the talk but he doesn't walk the walk.

In fact, in this case he does not have all the facts, but that doesn't prevent him, when he thinks there are political points to be made, from entering into the fray and making wild accusations. I would suggest to him and to others that it is irresponsible for him to behave in this way.

1420

**The Speaker:** New question?

**Ms Marilyn Churley (Toronto-Danforth):** To the Attorney General: Kenneth MacDougall confessed to a police officer that he drugged, raped and killed his wife, yet the charges were reduced to manslaughter and Mr MacDougall got six years in jail for killing his wife.

I want to remind you, Attorney General, that May-Iles recommendation 137 states that crown attorneys should avoid the staying, withdrawal or plea bargaining of charges where there is a reasonable prospect of conviction. Attorney General, I will say to you that something went terribly wrong in this case. When are you going to implement that particular recommendation from May-Iles so that this never happens again?

**Hon Mr Young:** First of all, I'm proud to be part of a government that has implemented in excess of 90% of

the recommendations that came from the May-Iles inquest. So that is important to say at the outset.

It's also important to remember that the system that we have in this province, the one that we have in this country, the one that is the envy of the world, is one that allows for a judge—an independent, impartial individual—to review the sentence recommendation that is made to him by any crown or by any defence attorney. Ultimately, the judge has the last word. He or she is the individual who makes that decision.

**Ms Churley:** Minister, in that case, why didn't you allow the judge to try the case? You said we didn't have the facts over here. Let me give you the facts.

Mitzi was a 27-year-old woman who had three little children. That night, she was suffering from a cold and she told Kenneth MacDougall that she planned to leave him. He gave her two sleeping capsules, telling her that they were Dristan. He also opened two of the capsules and poured the contents into her Neo Citran. He said that he "wanted to hurt her emotionally and cause her the same pain that she had caused him ... and the way to do this was to have sex with her one last time." Then he threw this drugged woman on to the bed and raped her. Then he held her down in the bathtub and drowned her.

Those are the facts of that case, Attorney General. I want to ask you now: you say you have a commitment to end violence against women, but you let this guy who committed this horrendous crime against this young woman get off with a mere six years in jail. What are you going to do about it, Attorney General?

**Hon Mr Young:** Once again let me express my sympathies and the sympathies of the government to the family in what is obviously a tragic situation.

But as the member opposite should know, these resolution decisions in court cases are made, and they're made bearing in mind all the facts of the case. The member opposite suggests the facts are just that simple. She iterated them in all of about 20 seconds. I suggest to you that the preliminary hearing likely took a little longer than that. As the member probably knows, preliminary hearings only represent a portion of the evidence that is usually called in trials. So, out of respect for the judiciary, out of respect for the system that we have and out of respect for the very same crown attorneys that the member opposite holds up as a pillar of our system on other occasions—out of respect to all of them, I would suggest that they allow the system to operate in the way it does. If they have constructive changes to make, not about a particular case but about improving the system, I've always had my door open. I'm always happy to meet with them to hear from them in that regard.

## PUBLIC HEALTH

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. The Northwestern Health Unit indicated to your ministry early last June that the funding that you're providing to carry out the immunization program is totally inadequate. Some 60%

of the immunizations that are done in the northwestern region are done through the health unit. There is no question that the service is absolutely essential. In fact, physicians are asking the health unit to take over the whole immunization program. But, Minister, the health unit cannot continue to deliver the current immunization program without additional funding. The medical officer of health, Dr Peter Saarsfield, has made it clear that the only way the health unit can deliver the immunization program that you have mandated is to cut back on other essential programs.

Dr Saarsfield finally received a response from the chief medical officer of health on November 16, and the response said, "The concerns have been duly noted." Minister, five months after a medical officer of health indicates to you that his public health unit is not receiving adequate funding to deliver the immunization program, he's told that the concerns have been duly noted. Do you consider this to be an adequate response?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I'd be happy to elaborate on the response and indicate to this House that, since 1995, public health spending has increased by 14%, and please keep in mind that this is a 50-50 funding arrangement. The local boards of health have approved budgets that are approved by the municipalities, as well as by the province, and yet despite that arrangement, which has been the arrangement for a considerable amount of time, we fund 100% of key health protection programs, such as flu vaccinations and so on. So we are pulling our weight. Certainly we get a lot of correspondence from public health unit partners on what their priorities are and we carry on with those priorities along with the municipal governments.

**Mrs McLeod:** Ignoring the issue is not going to make it go away. You're underfunding home care, you're underfunding hospitals and you're clearly underfunding public health. It's not just the immunization program that's threatened in the northwestern health unit.

Minister, last year, after the Walkerton disaster, you required health units to take on additional responsibilities for safe water. You gave the Northwestern Health Unit less than half of what they said was needed to take on these new responsibilities. This year you're telling them that you're discontinuing the funding for safe water activities.

In September your ministry told health units right across this province that they should consider dropping one or more mandatory programs as a way of reducing costs. I say to you today that in fact you're the one deciding what money the public health units are getting; you're going to have to decide what gets dropped. So I ask you today, what's it going to be? Is it going to be immunization? Is it going to be safe water programs? Is it going to be anti-smoking initiatives? Will you just tell us, what are you cutting out of public health?

**Hon Mr Clement:** I can't comment on speculation and conclusions that are drawn from misapprehension of the facts. The fact of the matter is we are spending more this year than when we took power in 1995. In a lot of

programs that we have initiated, we are spending 100% of the dollars on behalf of the citizens of Ontario. That's been our public record. That's our record that we're proud of.

I would hasten to add, since given the opportunity, that those are 100% provincial dollars. Not a dime comes from the federal Liberal government. Not a dime comes from their priorities. At a time when health care is the number one priority, this Liberal government is spending less on health care than Brian Mulroney spent. They should be ashamed. They should try to do their part on the opposite side of the House to get their federal Liberal cousins to live up to their responsibilities for the people of Ontario and Canada.

### DRINKING AND DRIVING

**Mrs Tina R. Molinari (Thornhill):** My question is for the Solicitor General. Minister, it continues to shock me, and I'm sure it shocks every member of this Legislature, that after all the public awareness, there are still people who drink and drive. When these thoughtless individuals get behind the wheel of a car after drinking, they not only put themselves in danger but put all of the people on the road in danger. How is the message getting out to the public that this government and the police all over Ontario will not tolerate drinking and driving?

**Hon David Turnbull (Solicitor General):** This is a tremendously important issue. The message is very clear: if you drink and drive, you will be the target for police in this province. Unfortunately, drinking and driving is the number one criminal cause of death in Canada. Police are always on the lookout for impaired drivers. In the year 2000-01, there were 650,000 people stopped in RIDE spot checks in this province, conducted by some 154 police services. There were 768 drivers charged with impaired driving, and another 2,500 had their licences suspended. RIDE spot checks are a key component of our strategy for Ontario's safe roads. RIDE is considered to be a good strategy by both the public and the police services, so the government will continue to support the RIDE program in Ontario.

1430

**Mrs Molinari:** This government has always been tough on crime. Drinking and driving is a crime in this province, and I'm pleased to hear that all of the offenders are being prosecuted. We support police services all over the province as they work hard to keep our streets safe.

As we approach the holidays, there will be many people who will be in festive celebrations with their families and at parties, and of course there will be much more danger on the roads. What is this government doing to continue to show our commitment to safety and to the RIDE program?

**Hon Mr Turnbull:** Indeed, drinking and driving is a menace to the whole of our society. Since taking office in 1995, our government has doubled the annual RIDE grants. To date, we've invested over \$7 million in RIDE

grants, providing police services throughout Ontario with funds.

On Thursday, I will be attending the kickoff for this year's annual holiday season RIDE program. In last year's check, 250,000 spot checks were completed during the December blitz. I encourage everyone to be responsible this holiday season and indeed every day of the year. If you drink, don't drive. That's the law.

### OAK RIDGES MORaine

**Mr Mike Colle (Eglinton-Lawrence):** I have a question for the Acting Premier.

**Interjection:** Which one?

**Mr Colle:** Who is the Acting Premier? I'm not sure.

Mr Minister, while your government boasts about saving the Oak Ridges moraine, an army of bulldozers is illegally clear-cutting the Jefferson forest to make way for the Bayview Expressway right through the heart of the moraine, from Stouffville Road up to Lake Wilcox.

Your government also told us that your land swap with land speculators to save the moraine would see a trade of land only off the moraine. But now we hear that you've made a secret deal to upzone thousands of acres of farmland in Richmond Hill right on the moraine. With the stroke of a pen, your government has secretly rezoned land to build 10,000 homes smack in the middle of the moraine, even before the legislation is in the House.

Minister, I want you to do three things for the people of the GTA: (1) use your powers under the Planning Act to put an immediate halt to the illegal bulldozing of the expressway through the moraine; (2) place before the House all the details of the secret land swaps you've made with developers; and (3) allow for full legislative hearings so we can plug the massive loopholes in your Bill 122. Will you do those three things?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I would, in reply, say that the government is committed to the protection of the Oak Ridges moraine. The recent court decision allowing the road construction to proceed does not conflict with the Oak Ridges moraine legislation that is before this House. If the member opposite is implying or inferring some sort of improper motives, I'm sure he would not want to do so toward the Ontario Supreme Court, because it was the Ontario superior court that made the decision that a new environmental assessment is not needed for the road construction to continue. That decision was made by the highest trial court in this province.

**Mr Colle:** The simple question that the people of the Oak Ridges moraine area have for you, Mr Minister, is, if development is frozen and the moraine is protected, why is the government allowing an expressway to go right through the middle of it? That's the question.

Secondly, why is the government allowing 10,000 homes to be built right on the moraine in the Gormley-Richmond Hill area? How can it be saved when you're allowing 10,000 homes and an expressway right up to Lake Wilcox? How is that possible?

**Hon Mr Flaherty:** We do have a process in this province for those kinds of disputes. In this particular case, the Bayview extension dispute went to our courts and was adjudicated, and people argued both sides of the issues. The Supreme Court of Ontario has made the decision that a new environmental assessment is not needed for the road construction to continue. The Bayview extension has received all the required approvals to continue and does not conflict with Bill 122, which is the Oak Ridges moraine legislation that is before this House.

### AIR QUALITY

**Mr Gerry Martiniuk (Cambridge):** My question is to the minister of environment, science and technology. This morning, you and I were in Cambridge for the signing of the contracts for the purchase of selective catalytic reduction units for Nanticoke and Lambton generating stations totalling some \$200 million. Can you explain how these units will help the environment?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** It's great news for the environment this morning with the first electricity company in Canada to introduce the selective catalytic reduction units. They will reduce the emissions of nitrogen oxides by some 12,000 tons, or, put another way, they'll clean up the air. Eighty per cent of the nitrogen oxides will be removed from the air, helping to reduce smog in Ontario and helping to reduce air pollution.

Again, it's the first of its kind in Canada, a significant investment by Ontario Power Generation in partnership with Babcock and Wilcox, a company from Cambridge, Ontario—a \$205-million contract for Babcock and Wilcox, and about \$35 million to \$45 million are being spent by Ontario Power Generation in additional expenditures. It's great news for the environment: clear air and more jobs, high-tech jobs. It's a winner all around and a great announcement.

**Mr Martiniuk:** My apologies to the Minister of Energy, Science and Technology for referring to him as the Minister of the Environment. You don't look at all alike.

Babcock and Wilcox from my riding is responsible for the production of these environmental control systems. Can you tell us how Babcock and Wilcox will help the economy and the environment of both Cambridge and the province?

**Hon Mr Wilson:** I also want to make it clear to my colleagues that I'm not running for anything yet.

**Mr James J. Bradley (St Catharines):** Yet?

**Hon Mr Wilson:** The race is young.

Babcock and Wilcox has a long history with the former Ontario Hydro and with Ontario Power Generation. I'm just very pleased that, as their president announced this morning, 85% of the over-\$200-million contract will be spent in Canada, with much of that money spent in creating jobs and keeping jobs in Cambridge, Ontario. It's an extremely impressive facility they have in Cam-

bridge, and the honourable member should be proud of the workers there and proud of his constituents.

It's a high-tech company, a large manufacturing company: 80% of the boilers used in our nuclear fleet historically have come from Babcock and Wilcox. Now Canada's first SCRs, selective catalytic reduction units, to bring down air pollution are being installed and are being built in Cambridge and are being installed by people from Cambridge, by the honourable member's constituents, and he should be proud. I know I was proud to be there, along with Bill Farlinger, the chair of Ontario Power Generation, and to share the joy with the employees there of that \$200-million-plus contract.

### RENT REGULATION

**Mr Howard Hampton (Kenora-Rainy River):** Today, the new Canada Mortgage and Housing Corp rental market survey was released, and the numbers are obscene. Tenants who rent two-bedroom apartments in Toronto today are paying an average of \$2,500 a year more to their landlords than they did before your government killed rent control in 1997.

Minister, tenants' incomes haven't increased by \$2,500 a year. Why does your government think it's OK to take \$2,500 a year out of the pockets of tenants and transfer it to landlords?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** When this government came to power, the rental housing industry in this province had ground to a halt. It stopped building under the Liberal-NDP legacy of tax hikes and restrictive rent controls. This government has worked hard to reverse the damage done to the rental market by the Liberals and the NDP and to get the industry going again and building for tenants.

Here's what has happened. We've provided \$4 million in provincial sales tax relief on construction materials for new, affordable rental units; we've made changes to the Ontario building code, reducing the red tape barriers for building rental units; we've implemented the Tenant Protection Act, which has reformed the rent system, improved the maintenance of rental buildings and is helping to create a better climate for the construction of new rental housing.

We've also established a working group of government and industry representatives to develop a comprehensive strategy. We responded to the housing supply working group this spring, and we await the federal government's response.

1440

**The Speaker (Hon Gary Carr):** Supplementary? The member for East York.

**Mr Michael Prue (Beaches-East York):** Minister, the housing ministers are meeting in Quebec City this week. At that meeting the federal government has already said they're coming forward with money, and that's a first because they haven't come forward with money for health and they haven't come forward with money for transit, but Ontario appears to be heading to that meeting

with empty hands. There has been nothing built in Ontario since 1995. The Tenant Protection Act has given a virtual monopoly to the landlords and rents have gone skyrocketing. Minister, are we going there with money or should the tenants of this province just prepare to sign over their wages to their landlord?

**Hon Mr Flaherty:** As I indicated, we responded immediately to the recommendations of the housing supply working group and we're awaiting the federal government's response to that. I hope we hear from them this week in Quebec City. With respect to the record, the legacy of the NDP and the Liberals was a \$1-billion housing boondoggle: \$300 million for consultant fees; \$550 million for architectural fees; \$50 million for legal fees. That was the NDP and Liberal legacy. Under just the Liberals alone, the average rent increase was 12% per year when the Liberals were in power. The money wasted included \$27 million for six housing projects in Toronto that were never even built.

### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Citizenship. I have a constituent who needs to use a wheelchair, not all the time but much of the time. There is simply no accessible housing for him. He has to be helped into his house. He can do that by standing up from the wheelchair, at times, and getting into the home. He has to be helped into the house because the home and motor vehicle modification program has absolutely no funding to build a ramp into his house—\$900. When my constituent has dialysis, he is not able to get up and help himself into the house, so he is sleeping in his car at nights. He lives in his car for two or three days until he is able to get enough strength to walk into the house.

When he first heard there was going to be an ODA bill passed, he was excited. However, examining the details has caused him some concern. Minister, would you tell me how, when the ODA is passed, it will help my constituent and others like him who require access to accommodation?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** First of all, I would hope that the member opposite, understanding the issues as he has presented them with his constituent, would have contacted someone in the Ministry of Health, in the government, to consider looking into the case. That's the first issue, and I hope you have done that in advance of trying to do something here on the floor of the Legislature.

Second, I want to reassure the member opposite that if you want to talk about access to special housing supports, this government will stand by its record, which has been an extraordinary expansion: brain-injured repatriation from the United States after the millions and millions of dollars spent by past governments and sent to the United States. This government made the historic commitment

to repatriate every single brain-injured individual in this province, to find a program and a home and accommodation for them in our province, something we're very proud of.

If you want to look at dialysis programs, it wasn't a Liberal government or an NDP government, it was a Conservative government that expanded the dialysis program. It started under my colleague the Honourable Jim Wilson and expanded at unprecedented levels in this province.

**Mr Parsons:** Minister, you never once mentioned the ODA, but I believe you did in fact list everything it would do for my constituent and others like him.

Certainly we were concerned about Bill. We called your home and motor vehicle modification program, which said they have no money. They said that because this is almost a life and death situation, they would make him a top priority next year, in January. We thought, "Wonderful," so we said, "If he applies in January, does that mean he will be approved and he'll get that \$900 ramp and be able to sleep inside?" They said, "Well, no." Although he's a top priority, the program is substantially underfunded and they could not commit in any way that he would get the grant.

Minister, we're not talking the theory of the bill. We're going to put actual names and faces on these people. The question I ask you is, will your bill help people get access to accommodation, to their own house, or do they have to continue to sleep in their car?

**Hon Mr Jackson:** If the member opposite wishes to read the bill, he'll know that all social housing in this province is covered under this legislation, under the ODA, and he may wish to pursue that further. It's very clearly in the language of the bill. It talks about all new subdivision planning and development, modifications to the current building code, and all of that will be covered.

I want to remind the member opposite that when housing programs were under construction in this province, in all the time the Liberals and the NDP talked about housing for the disabled, housing for seniors and housing for families, the persons they talked the most about and delivered the least to were, first, persons with disabilities, who didn't get their fair share out of the billions of dollars spent in this province and, second, seniors, who were disadvantaged by those government decisions made by past Liberal and NDP governments.

I remind the member opposite that we have yet to hear one promise from the Liberal Party about what commitment they'll make to the disabled people of this province—not one financial promise, not one commitment for legislation; just politics.

#### MINISTRY OF LABOUR CUSTOMER SERVICE

**Mr John O'Toole (Durham):** My question is to the Minister of Labour. Before I begin my question, Minister, earlier this year you attended at my riding and made an informal presentation on the Employment Standards

Act with employers and employees, including members of the CAW. That of course happened in Durham.

Minister, given the proclamation of the new Employment Standards Act, 2000, just this past September, could you tell the members of the House what the Ministry of Labour has done to ensure the highest quality customer service, as well as to raise the level of education awareness about the new Employment Standards Act in the province of Ontario?

**Hon Chris Stockwell (Minister of Labour):** We have taken many steps to improve customer service over the past few years. One of the first avenues taken by many of our customers is to phone. Today people can call a toll-free number and get the services they need within minutes. I understand, with respect to the Employment Standards Act, that those particular questions have been dealt with and the changes that we have made have been very productive. I have also noticed that we have taken a number of calls over the time in the Ministry of Labour and the percentage of calls respecting the Employment Standards Act has been very low. We've dealt with it very carefully and we've also taken the calls, but upon proclamation it's been reasonably well accepted and dealt with fairly.

**Mr O'Toole:** Thank you, Minister. I'd like to say I'm pleased but certainly not surprised with this development under your leadership. It's a pleasure to hear that you are taking proactive steps in providing information on the new Employment Standards Act. But how do you know that you are meeting the standards with your clients and how does your ministry compare with others in this particular area?

*Interjections.*

**Hon Mr Stockwell:** I'd caution the member for—I don't know your riding, actually; sorry about that. The member whose riding includes Smitherman House, I guess. I would caution the member to be careful what you wish for. It has a habit of jumping up and biting you on both your faces.

A recent survey of ministry clients across the province found that nearly—

*Interjections.*

**Hon Mr Stockwell:** I've obviously raised the hackles. That caterwauling continues. I'll take you on individually, one at a time. Just wait in line.

We found that nearly 85% received—

*Interjection.*

**Hon Mr Stockwell:** Why don't you just put a target on your forehead, George?

**The Speaker (Hon Gary Carr):** Order. It's pretty tough when even his own members are involved. Minister of Labour.

**Hon Mr Stockwell:** A recent survey of ministry clients across the province found that nearly 85% received service and information that they needed. This was one of the highest ratings of any government ministry or agency. It was also higher than similar ratings at the federal and municipal levels of government. In fact, last year the call centre received an Ontario government

Amethyst Award in recognition for service in the government sector. They're very proud of this at the Ministry of Labour.

1450

### CONTAMINATED SOIL

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of the Environment. Minister, there is a portion of the city, on the edge of High Park, that is contaminated. It has poisonous materials in it. It contains methylene chloride that came from the time it was a dump, and it spent 50 years as the site of two gas stations. This site is dangerous and you have been made aware of it on a number of occasions, most recently in estimates about a month ago. At that time you were asked, and you made an undertaking, to provide whatever protections your office could to the local citizens.

It has been too long. The Ontario Municipal Board has approved this development, and no one else—not the city, not the conservation authority—has the ability to assure the residents that this will be safely handled. Minister, will you stand up in this House and guarantee that that site will be safe before it is disturbed and before the residents can be damaged in any way from any of the poisons in that soil?

**Hon Elizabeth Witmer (Minister of the Environment):** If the member opposite would give me the additional information, certainly I would be prepared to follow up and ensure that indeed all the safety measures will be undertaken in order to ensure the health of those residents.

**Mr Kennedy:** Minister, that will not do. I have three pages of telling you about this in estimates on October 16. This is on the edge of High Park. Water runs underneath this property. That water leads into Grenadier Pond. It leads into Lake Ontario. There are poisonous elements in there. Do you know what the director at the Ministry of the Environment, whom your staff told me to talk to, who said he was going to look after things, told me? Brian Howieson told me that they would not do anything unless and until some poison went into the air, the water or the land, and had already affected the residents. Then you would be there.

Minister, you personally were made aware of this on a number of occasions. There is no excuse. You're the Minister of the Environment. There is no other body—not the city, not the Ontario Municipal Board, not the conservation authority—that will test this property and make sure people aren't poisoned. The last time they tested this property, in 1998, they stopped. Why? Because poisonous gas was being released into the air.

Minister, I want your undertaking today. You're the Minister of the Environment. Will you act? Will you make sure the Ontario Municipal Board cannot make this development happen until testing has taken place to make sure the residents in the area, the people who use High Park, the natural environment, the ducks that are nearby,

the natural habitat, will not be damaged? Will you be the Minister of the Environment?

**Hon Mrs Witmer:** The member opposite knows full well that the entire issue is being reviewed by the Ministry of the Environment and we are awaiting a recommendation. They are well aware of the issue. It is under review and a recommendation will be coming forward.

### PLANT CLOSURE

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Economic Development and Trade. Last Friday I met with about 100 union representatives and employees from Canadian Fabricated Products Ltd, a subsidiary of Johnson Controls, as well as three representatives from the Stratford city council.

As you know, this Stratford plant is closing in mid-December, putting approximately 400 people out of work. You can appreciate that closing a plant has a major impact in Stratford and the surrounding region. I promised the employees that I would bring this to the attention of influential people like you to try to reach some solution. Minister, what assistance can you provide the employees of Canadian Fabricated Products?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I represent a riding much like the member's and I appreciate his interest in this issue. I too have suffered the closure of a plant in the last few years in the community of Brockville and several in the community of Prescott. It is a difficult time, and I want to indicate our strong support for his riding and his community in any way, shape or form that we can help. Certainly in Ontario we have, through the past six years, dramatically improved the business climate in terms of making Ontario a much more attractive place to invest and grow a business.

With respect to this particular company, we are assisting. MEDT and the Ministry of Training, Colleges and Universities have offered to sit on the company's internal adjustment and advisory committee to help workers find ways to get new skills and be integrated back into the workforce. We have also offered to work with the Stratford economic development officials to help displaced employees find other employment opportunities.

**The Speaker (Hon Gary Carr):** The minister's time is up.

**Mr Johnson:** Thank you, Minister, because these people are in some ways desperate because their circumstances, especially at this time of the year, are dreadful. Union representatives and employees of Canadian Fabricated are angry and upset with the way they've been treated by their head office, located in Milwaukee, Wisconsin.

Indeed, they are being represented in court today to attempt to have their contract honoured. They feel there is a role for government involvement—local government, the provincial government and the federal government. What steps can our government and your ministry take to

prevent these types of foreclosures from happening in our towns in Ontario?

**Hon Mr Runciman:** I'm certainly more than prepared to work with the member to see if there is any role we can play in terms of intervention, although the decision was made some time ago by head office outside of this country. I know the member and I share the concern about the movement of head offices out of this country, primarily into the United States because of the acquisition of Canadian companies. We're seeing this in the energy sector as well.

The federal low-dollar policy is aggravating the situation. There are a number of areas in terms of capital taxes where this government is moving, but we're not seeing the same kind of movement at the federal level.

The other concern in terms of the auto sector and the auto parts sector especially is their dependence on cross-border traffic—smoothly operating border crossings. Again, we are working very vigorously to improve that situation but we are not meeting with the co-operation—

**The Speaker:** The minister's time is up.

#### EDUCATION FUNDING

**Mr Michael Prue (Beaches-East York):** My question is to the Minister of Education. Virtually every swimming pool in the city of Toronto will be closed next year. Sixty-two out of the 84 pools are scheduled to be closed. The reality is that all of these swimming pools are in the ground, all of these pools have been paid for by the taxpayers of Toronto, and hundreds of thousands of people who use them every year will have nowhere to swim in Toronto. The board of education is in a funding straitjacket because of your funding formula. When will you wade into this issue and give some hope to the people and their communities that they will have a decent and safe place in which to swim?

**Hon Janet Ecker (Minister of Education, Government House Leader):** The reason the Toronto school board is in a funding straitjacket is because of some of the decisions they have made around how to allocate their resources. We only need to look at recent media coverage in the last year to see how they have exercised that judgment and that authority.

Second, this government has never funded swimming pools in schools. Neither did the NDP government; neither did the Liberal government. That is not something that has ever been funded through provincial education grants. I would encourage the board to do what other boards have done: to work out agreements with the community. That's how swimming programs are offered in schools across this province. They can be a great recreational opportunity for students. I don't think there's a parent who would disagree with that. But I really believe that those programs should be offered through support between the school board and the community, as they are across the province.

**Mr Prue:** Madam Minister, your government took away the board's ability to pay for operating the pools. In

fact, your formula has sucked millions of dollars from the citizens of Toronto, taxpayers, which could have been used to keep the pools open. You have instituted a one-size-fits-all policy and it simply doesn't work. The children, the sports teams, the elderly, the disabled were all at Monarch Park school this week, trying to save their pool. Toronto is in a straitjacket. They need a life jacket. Madam Minister, when are you going to help the people of Toronto, and when are you going to take into account that one size doesn't fit all?

**Hon Mrs Ecker:** First of all, we took away the board's ability to tax the seniors, the disabled, the people who are on fixed incomes because they had no respect for the fact that those individuals couldn't continue to pay increased property taxes. We took away their ability to tax, as many experts recommended, and we asked them to do what Ontario's working families do: to live on a budget, to set key priorities, to manage their resources effectively, not to go out and rip up playgrounds when there was no need to do that, with no plan to replace them; not to go out and refuse to make difficult decisions about empty administration buildings.

They have received additional funds. As a matter of fact, there is special funding for the Toronto school board that recognizes pressures for low socio-economic neighbourhoods, that recognizes pressures for English as a second language. The funding formula specifically recognizes urban pressures. Do we need to have more investments in public education? Absolutely. We will continue to support our public—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

1500

#### YOUTH CRIME

**Mr Alvin Curling (Scarborough-Rouge River):** My question is for the Solicitor General. Youth crime has been reduced considerably over the years, but you continue in your approach of attacking the young people of this province with your law-and-order rhetoric and your photo opportunities. What you have done is alienate young people. You have driven a mistrust for the police, and hence no co-operation is forthcoming in solving crime in the community. Minister, wouldn't you then think that you are part of the problem and not part of the solution?

**Hon David Turnbull (Solicitor General):** We're extremely proud of our party's record in reducing crime and addressing the very serious problems, and indeed of addressing youth crime, which is a tremendously serious issue. We have provided, across the province, 1,000 net new front-line police officers in a community police program that partners with municipal police forces. The government implemented the adequacy standards that require every police service to have a policy for investigations of youth crime. We have put forward considerable amounts of money specifically to address problems of youth crime.

**Mr Curling:** As usual, the minister has in his own way missed the question altogether. The fact is that there are young, ambitious and law-abiding citizens out there, young people who feel very mistrustful about the position of this government and of yourself with all your rhetoric. They have not seen any support in any respect that you have given. I again say to you that many of the crimes that are out there to be solved could have been resolved, but they have no trust in you or your government in that respect. They feel you have driven all of our young people to live in fear. Again, don't you see yourself as part of this problem of not solving crime and not as part of the solution?

**Hon Mr Turnbull:** On September 18, I announced a \$2-million program for a youth crime and violence initiative. This will enhance community safety through prevention to help police forces, but also through prevention grants to community groups to work with youth who are at risk, because we believe very strongly it is important to identify youth at risk and try and counsel them and help them through the problems. But we must ask the community to become involved in solving youth crime. That is key because we all have to be responsible for part of the puzzle of solving crime.

## PETITIONS

### EDUCATION FUNDING

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario:

"Whereas the Harris government's rigid education funding formula is forcing neighbourhood school closures and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that large schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships;

"Whereas small, neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools;

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature. I'm in full agreement.

## PROFESSIONAL LEARNING

**Mr Rick Bartolucci (Sudbury):** I have a petition to the Legislative Assembly of Ontario. It says:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned," from St Anthony school, from St Charles school, from St James school and from St Andrew's school, "respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

Of course, I affix my signature as I am in complete agreement with it.

## AUDIOLOGY SERVICES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I've received, over the last week, 1,500 signatures from a number of communities, including Elmira, Aylmer, St Thomas, Dundas, London, Keswick, Tottenham, Alliston, Schomberg, Aurora, Beeton, Newmarket, Shedden, St Thomas, Ancaster, Woodbridge, Hamilton, Waterdown, Burlington, Wallacetown, West Ward, Kitchener, Stittsville, Freelon, Palmerston, Clifford, Brussels, Waterloo, Sutton, St Jacob's, Bellwood, Brampton, Fergus, Toronto, Erin, Norval, Dundalk, Markham, Hagersville, King City, Nobleton, Maple, Kettleby, Mount Albert and Mount Hope, Baldwin, Thornhill, Brantford, Kilbride, Guelph, Milton, Elora, Carlisle and Peterborough. They've all asked me to present this to the government:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike

Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

#### LAKEVIEW GENERATING STATION

**Mr Morley Kells (Etobicoke-Lakeshore):** I have a petition to the Legislative Assembly of Ontario, which reads:

"Whereas the Legislative Assembly of Ontario is requested to reverse a draft regulation of July 3, 2001, to the original promise of cleaner, high-efficient natural gas;

"Whereas the Lakeview generating station's gas emission rates should not exceed those of high-efficiency natural gas combined-cycle turbines after April 2005,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly of Ontario reverse its draft regulation of July 3, 2001, to the original purpose of cleaner, high-efficient natural gas. The petitioners ask that the Lakeview generating station's nitrogen oxide and greenhouse gas emission rates should not be permitted to exceed those of high-efficiency natural gas combined-cycle turbines after April 2005."

I am pleased to affix my signature to this petition.

1510

#### HIGHWAY IMPROVEMENTS

**Mr Michael Gravelle (Thunder Bay-Superior North):** People in northwestern Ontario are desperate for us to get our fair share of highway infrastructure and we have a petition circulating. I've got many here from June Huston in Pass Lake. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas traffic volume has increased dramatically on Highway 11-17 between Thunder Bay and Nipigon over the past 15 years; and

"Whereas the sections of Highway 11 between Nipigon and Longlac, Highway 584 to Nakina, Highway 17 between Nipigon and Marathon and Highway 527 to Armstrong would benefit from a safety point of view from fully paved shoulders; and

"Whereas the Minister of Transportation has recommended that any major transportation infrastructure improvements on these stretches of the provincial highway should focus on high-volume areas and enhanced safety features;

"Therefore, we, the undersigned citizens of Ontario and residents of northwestern Ontario, petition the Legislative Assembly of Ontario to provide funding support to:

"(1) Twin the highway between Thunder Bay and Pass Lake as a first priority with the stated goal of eventually completing the twinning all the way to Nipigon;

"(2) Commit to fully paving the shoulders of Highway 17 from Nipigon east to Marathon, Highway 11 from Nipigon east to Longlac, Highway 584 from Geraldton to Nakina, Highway 527 from the Thunder Bay Expressway to Armstrong;

"(3) Commit to a serious re-evaluation from a design point of view of dangerous portions of the highway that have seen a higher proportion of accidents over the years."

I'm pleased to have the support of the member for Kingston and the Islands, Mr Gerretsen, who supports this cause, and I'm very proud to sign my name to this petition.

#### AFFORDABLE HOUSING

**Mr Michael Prue (Beaches-East York):** I have here a petition to the Legislative Assembly of Ontario, which reads as follows:

"Whereas the annual rent increase guideline for multi-unit residential dwellings in Ontario increases every year more than the rate of inflation and more than the cost-of-living increase for most tenants;

"Whereas no new affordable rental housing is being built by the private sector, despite the promise that the implementation of vacancy decontrol in June of 1998 would encourage new construction;

"Whereas one in four tenants pays over 50% of their income in rent, over 100,000 people are on the waiting list for social housing, and homelessness has increased as a result of unaffordable rents,

"We, the undersigned, petition the Legislative Assembly of Ontario to implement an immediate province-wide freeze on rents which will stop all guideline increases, above-guideline increases and increases to maximum rent for all sitting tenants in Ontario for a period of at least two years."

It's signed by approximately 50 people, and I would endorse it and sign it as well.

#### TENANT PROTECTION

**Mr John O'Toole (Durham):** I am very pleased to present a petition to the Legislative Assembly of Ontario on behalf of my constituents in Durham.

"Whereas we the residents of 145 Liberty Street South in Bowmanville wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville have invested considerable amounts of money in decorating, upgrading our apartments; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville were of the understanding that this was a rental property, not a condominium;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or any other relevant ministry to investigate these concerns to ensure that we the residents of 145 Liberty Street South in Bowmanville continue to rent our apartments."

Just for the information of the House, I've written to the Minister of Municipal Affairs and am working on

this. I'm pleased to sign and endorse this petition on their behalf.

### EDUCATION FUNDING

**Mr Ernie Parsons (Prince Edward-Hastings):** "To the Legislative Assembly of Ontario:

"Whereas the funding for school boards is now based on student-focused funding legislative grants for the 2001-02 school board fiscal year;

"Whereas the Hastings and Prince Edward District School Board is in a period of declining enrolment, a trend that is projected to continue over the next five years;

"Whereas application of the student-focused funding model for 2001-02 does not allow sufficient funding for the Hastings and Prince Edward District School Board for secretarial support in schools, principals and vice-principals, transportation, or school operations;

"Whereas costs in these areas cannot be reduced at the same rate as the enrolment declines,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reassess the student-focused funding legislative grants for 2001-02 school board fiscal year to provide additional funding for those areas where funding is insufficient and to adjust future student-focused funding legislative grant to address the situation of the declining enrolment faced by the Hastings and Prince Edward District School Board and other boards in Ontario."

I'm pleased to add my name to this seven-page petition.

### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have yet again more petitions on adoption disclosure reform. This one reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information;

permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; and replace mandatory reunion counselling with optional counselling."

I will affix my signature to this petition.

### HIGHWAY 407

**Mr John O'Toole (Durham):** The petitions keep arriving and I keep representing the people of Durham as best I can.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into the Durham region and the proposed route, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa;

"Whereas such routing will destroy completely five holes, and severely impact two additional holes effectively destroying the golf course as a viable and vibrant public golf course;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of my constituents, residents of Durham region and the GTA."

I've played this course. I'm going to sign this petition in support of those people.

### LONDON HEALTH SCIENCES CENTRE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the

health and safety of people throughout southwestern Ontario are not put at risk."

It is signed by a number of residents from Coatsworth and Chatham, and I too have affixed my signature to all these petitions.

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned"—2,600 individuals from Windsor, Shedden, Amherstburg, London, Dorchester, St Thomas and other places—"petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I agree with these 2,600 people and will affix my signature hereto.

#### VISITORS

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** Mr Speaker, on a point of order: If I have unanimous consent, the legislative page for the great riding of Burlington, Patrick Suter, is here today in the House, along with his mother and father, Fred and Cathy Suter. Patrick, who attends Pineland school, brought one of the students, my daughter, Lauren. I'd like to acknowledge them in the House today.

#### ORDERS OF THE DAY

##### QUALITY IN THE CLASSROOM ACT, 2001

##### LOI DE 2001 SUR LA QUALITÉ DANS LES SALLES DE CLASSE

Resuming the debate adjourned on October 25, 2001, on the motion for second reading of Bill 110, An Act to

promote quality in the classroom / *Projet de loi 110, Loi visant à promouvoir la qualité dans les salles de classe.*

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated November 19, 2001, I'm now required to put the question.

Mrs Ecker has moved second reading of Bill 110, An Act to promote quality in the classroom. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1520 to 1525.*

**The Speaker:** Would members kindly take their seats, please.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hardeman, Ernie	Runciman, Robert W.
Baird, John R.	Hudak, Tim	Sampson, Rob
Barrett, Toby	Jackson, Cameron	Snobelen, John
Beaubien, Marcel	Johns, Helen	Spina, Joseph
Chudleigh, Ted	Johnson, Bert	Sterling, Norman W.
Clark, Brad	Kells, Morley	Stewart, R. Gary
Clement, Tony	Mariand, Margaret	Stockwell, Chris
Coburn, Brian	Martiniuk, Gerry	Tascona, Joseph N.
Cunningham, Dianne	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Molinari, Tina R.	Tumbull, David
Elliott, Brenda	Munro, Julia	Wettlaufer, Wayne
Flaherty, Jim	Newman, Dan	Wilson, Jim
Galt, Doug	O'Toole, John	Witmer, Elizabeth
Gilchrist, Steve	Ouellette, Jerry J.	Young, David
Gill, Raminder		

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Conway, Sean G.	Kwinter, Monte
Bartolucci, Rick	Crozier, Bruce	Levac, David
Bisson, Gilles	Curling, Alvin	Marchese, Rosario
Bountrogianni, Marie	Di Cocco, Caroline	McMeekin, Ted
Boyer, Claudette	Dombrowsky, Leona	Parsons, Ernie
Bradley, James J.	Duncan, Dwight	Peters, Steve
Brown, Michael A.	Gerretsen, John	Phillips, Gerry
Bryant, Michael	Gravelle, Michael	Prue, Michael
Caplan, David	Hampton, Howard	Pupatello, Sandra
Christopherson, David	Hoy, Pat	Ramsay, David
Churley, Marilyn	Kennedy, Gerard	Sergio, Mario
Colle, Mike	Kormos, Peter	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 36.

**The Speaker:** I declare the motion carried.

Pursuant to the same order of the House, the bill is referred to the standing committee on general government.

## ONTARIANS WITH DISABILITIES ACT, 2001

### LOI DE 2001 SUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Resuming the debate adjourned on November 20, 2001, on the motion for second reading of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated November 21, 2001, I am now required to put the question.

Mr Jackson has moved second reading of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This again will be a five-minute bell.

*The division bells rang from 1529 to 1534.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Armott, Ted	Hardeman, Ernie	Runciman, Robert W.
Baird, John R.	Hudak, Tim	Sampson, Rob
Barrett, Toby	Jackson, Cameron	Snobelen, John
Beaubien, Marcel	Johns, Helen	Spina, Joseph
Chudleigh, Ted	Johnson, Bert	Sterling, Norman W.
Clark, Brad	Kells, Morley	Stewart, R. Gary
Clement, Tony	Mariand, Margaret	Stockwell, Chris
Coburn, Brian	Martiniuk, Gerry	Tascona, Joseph N.
Cunningham, Dianne	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Tumbull, David
Elliott, Brenda	Molinari, Tina R.	Wettlaufer, Wayne
Flaherty, Jim	Munro, Julia	Wilson, Jim
Galt, Doug	Newman, Dan	Witmer, Elizabeth
Gilchrist, Steve	O'Toole, John	Wood, Bob
Gill, Raminder	Ouellette, Jerry J.	Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Crozier, Bruce	Levac, David
Bartolucci, Rick	Curling, Alvin	Marchese, Rosario
Bisson, Gilles	Di Cocco, Caroline	McMeekin, Ted
Bountrogianni, Marie	Dombrowsky, Leona	Parsons, Ernie
Boyer, Claudette	Duncan, Dwight	Peters, Steve
Bradley, James J.	Gerretsen, John	Phillips, Gerry
Brown, Michael A.	Gravelle, Michael	Prue, Michael
Bryant, Michael	Hampton, Howard	Pupatello, Sandra
Caplan, David	Hoy, Pat	Ramsay, David
Christopherson, David	Kennaedy, Gerard	Sergio, Mario

Churley, Marilyn  
Colle, Mike  
Conway, Sean G.

Kormos, Peter  
Kwinter, Monte

Smitherman, George  
Sorbara, Greg

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 48; the nays are 37.

**The Speaker:** I declare the motion carried.

Pursuant to the same order of the House, this bill is referred to the standing committee on finance and economic affairs.

### STUDENT PROTECTION ACT, 2001

#### LOI DE 2001 SUR LA PROTECTION DES ÉLÈVES

Mrs Ecker moved third reading of the following bill:

Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students / Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I will be sharing my time with the member from Simcoe North.

**Mr Garfield Dunlop (Simcoe North):** Nothing is more important than the safety and security of our young people. Each and every one of those children, as well as their parents, must be able to count on a school environment that is free from any kind of behaviour that may put people at risk of harm or injury.

The Student Protection Act, 2001, sends a clear message to those who would prey on children, and that is to stay out of our schools. This bill is part of our government's response to recommendations made by Mr Justice Sydney L. Robins in his report, *Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario's Schools*. We have worked with many stakeholders to develop legislation that will keep our schoolchildren safe. I'd like to thank our education partners who have devoted their time and resources to providing thoughtful advice on this very important subject. I particularly want to thank the Ontario College of Teachers for its advice and for the action it has taken to respond to Mr Justice Robins's recommendations. We have listened to the advice of the college given during recent committee hearings on this bill, and we are proposing an amendment to Bill 101 as a result. I will get to that amendment in just a few moments.

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All of us here today know that the great majority of Ontario's teachers are caring, law-abiding citizens. These teachers deserve the trust and respect of students and parents. However, there is a small number of teachers who take advantage of their positions of trust in the classroom to victimize students. It is our responsibility as legislators, as adults and as ordinary citizens to take every step possible to safeguard Ontario's students from these individuals.

Bill 101 proposes a series of amendments to the Education Act, the Ontario College of Teachers Act and the Teaching Profession Act. I would like to address some of the bill's key provisions.

Part I of the bill proposes an amendment to the Education Act that is critical to protecting students from sexual abuse and harassment. It would place the following important new duty on school boards: when a board becomes aware that a teacher has been charged with or convicted of an offence involving sexual conduct and minors, or any other offence that might place students at risk, the board would be required to ensure that none of the teacher's duties involve contact with students. This would apply to all certified teachers and temporary teachers working for school boards, school authorities and the Provincial Schools Authority. It would require immediate removal of the teacher from the classroom and from any other duties that might involve contact with pupils.

The amendments contained in Bill 101 would also meet the need for a broader definition of "sexual abuse." It would define sexual abuse by a teacher as the following: sexual intercourse or other forms of physical sexual relations between a teacher and a student; touching of a sexual nature of a student by a teacher; behaviour or remarks of a sexual nature by a teacher toward a student. This broad definition would capture not only sexual assault and touching, but also inappropriate sexual remarks and behaviour, including the establishment of inappropriate sexual relations with students.

Bill 101 proposes essential changes to the reporting relationship between employers and the Ontario College of Teachers.

First, employers of certified teachers would be required to report to the college within 30 days where a teacher's employment has been terminated or his or her duties restricted for reasons of professional misconduct.

Second, in response to the feedback received from the college during their presentation on Bill 101 before the standing committee on justice and social policy, we are introducing a new amendment to the Student Protection Act, 2001. The amendment would strengthen one of the reporting requirements to the college in the act. It deals with a teacher who resigns while his or her employer is investigating an allegation that, if proven, would have caused the employer to terminate or restrict the teacher's duties for reasons of professional misconduct. Under the new amendment, the employer would now have to report this to the Ontario College of Teachers. This provision is essential to help prevent potential abusers from moving undetected from one board to another.

Third, the registrar of the college would be required to report back to employers on the actions taken by the college. This will help ensure that employers are made aware of the disposition of cases involving their employees.

Finally, to enforce compliance, Bill 101 would make it a provincial offence, punishable by a fine of up to \$25,000, for an employer to contravene the reporting

requirements contained in the bill. These reciprocal reporting relationships are designed to keep all parties who have an interest in the protection of students aware of any activity that might put students at risk.

To summarize, the Student Protection Act would catch the following activities by certified teachers: acts that result in a charge or conviction involving a certified teacher's sexual conduct and minors, or any other charge or conviction of an offence that in the opinion of the employer may put students at risk of harm or injury. It would also help prevent teachers accused of sexual assault against a student from moving undetected to another school board.

The final area addressed by Bill 101 focuses on the particular responsibility of teachers to be vigilant and take action against sexual abuse. Under the current legislation, certified teachers who are members of the Ontario Teachers' Federation are required to notify their colleagues if they file an adverse report against them. To ensure that protecting students is the first priority, we're proposing an amendment to the Teaching Profession Act that would preclude notification of adverse reports when the report involves sexual abuse by a teacher.

Bill 101 clearly demonstrates our commitment to the safety of our schoolchildren. The message to the public is very clear: protection of the students is everyone's responsibility and we must all act on it.

This legislation is the latest step in our government's comprehensive effort to ensure the safety of our schoolchildren in Ontario. Since 1995, our goal has remained the same: to ensure student success in a safe and respectful school environment. We're striving to build an education system that supports achievement and excellence through high standards and accountability.

To make that possible, we have worked to ensure that schools are environments where teachers can teach and students can learn without fear for their safety. We have already taken strong actions to ensure the safety of everyone in our schools. This past September, a number of new provisions came into effect regarding student suspensions, expulsions and strict-discipline programs. These measures are all part of the Safe Schools Act, 2000, which also gave force to the Ontario schools code of conduct, and set standards of behaviour for everyone involved in our school system. Principals now have the authority to expel students from their schools for up to a year for serious infractions under this act. In addition, teachers can now issue one-day suspensions for a number of infractions.

We have also increased protection of our youth in the following areas: last December, we released a provincial model for a local police-school board protocol. With this model protocol, we have ensured that school boards and their local police work together to develop policies and procedures on how they will respond to incidents at our schools. The protocol sets out how and when parents will be contacted if an incident involves their children. In 1999, we strengthened the Child and Family Services Act to provide front-line child protection workers with better

tools to do their jobs. These changes make it clear that the paramount purpose of the Child and Family Services Act is to promote the best interests, protection and well-being of our children.

The reasons for finding a child in need of protection have been expanded. For instance, the word "neglect" is specifically included, and the threshold for risk of harm and emotional harm to children has been lowered. The changes encourage earlier action to protect children at risk and make it absolutely clear that professionals and the public have a duty to report if a child is or may be in need of protection. School boards were also directed to provide opportunities for all staff to acquire the skills and knowledge necessary to recognize the signs of physical, sexual or mental abuse and to know what actions they should be taking.

This fall, the Ministry of Education released a revised policy program memorandum to school boards to increase awareness of the child abuse reporting requirements of the Child and Family Services Act. To help students recognize inappropriate behaviour, the personal safety and injury component of the new elementary curriculum introduces such topics as sexual harassment, child abuse, and violence in relationships. This is done in a manner that is appropriate to their age and cognitive development.

Work continues within the ministry toward meeting another key recommendation from Justice Robins. As announced last spring, the ministry plans to introduce criminal background checks for teachers and for school employees.

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Each of these initiatives speaks directly to one or more of the specific recommendations we received from Justice Robins. The minister has been very active in consulting with education partners to improve the safety of our schoolchildren. Minister Ecker has met with the Council of Directors of Education, trustees' associations, and principals' associations in the spring of 2000. Strategies and work plans for addressing Justice Robins's recommendations were discussed during those meetings.

The minister also consulted with the Ontario College of Teachers. The college was asked to conduct a review of its policies and procedures in light of Justice Robins's report and to provide advice to the ministry on how to implement its recommendations.

Finally, we also received useful feedback from the Elementary Teachers' Federation of Ontario, and the Ontario Teachers' Federation.

I had the opportunity to hear the recent presentations made on Bill 101 at the standing committee on justice and social policy. This allowed me to witness the dedication and the efforts of our education partners in enhancing the safety of our school children. We listened carefully to what our partners had to say.

As a result of the presentation of the Ontario College of Teachers, we have introduced, as I mentioned earlier, an amendment to Bill 101. The amendment will reinforce the reporting requirements in the bill. It will lessen the

risk of teachers suspected of the sexual abuse of students moving undetected from one school board to another.

I would like to thank all our education partners, who have devoted their time and resources to providing thoughtful advice on this very important subject. I particularly want to thank the Ontario College of Teachers for its advice and the actions it has taken to respond to Justice Robins's report.

Bill 101 is the latest step in our efforts to keep sexual predators out of our schools. Our commitment to student safety is, and must continue to be, absolute.

Let me make one thing very clear: all of us here today know that the majority of Ontario's teachers are caring, law-abiding people, dedicated to enriching the lives of students and protecting them from harm. These teachers deserve the trust and respect of students and parents.

The disturbing reality, as Justice Robins confirmed, is that sexual abuse does occur in our schools when a minority of teachers take advantage of their positions of trust to victimize students.

It is therefore our responsibility as legislators to take every possible step to safeguard the safety of Ontario students. That is surely the most honourable achievement anyone in this House could possibly strive to do. That is what Bill 101 will help us accomplish. I invite all members in the House here today to support Bill 101.

I thank you for the opportunity to make a few comments on this third reading today.

**The Deputy Speaker (Mr David Christopherson):** Further speakers for the government? Hearing none, members will now have up to two minutes for questions and comments.

**Mr Gilles Bisson (Timmins-James Bay):** First of all, I want to say to the member across the way that I listened to the comments made, and I agree with more of what he had to say than he probably realizes. But I want to take the opportunity to remind him that a big part of what happened in regard to this legislation has to do with the inquiry that was called when we brought in Justice Robins in order to take a look at that issue. It came from an issue that happened in the Sault Ste Marie area.

If you remember, it was Tony Martin, the member from Sault Ste Marie, and the then member from Algoma, Bud Wildman, who, on a number of occasions, had approached the government to try to find some type of solution. As a result of that, Justice Robins was hired, the inquiry took place, and the justice reported back to the minister with recommendations about what could be done. Much of what we see inside this bill comes from that. I'm sure the member wanted to take an opportunity to put on the record a congratulations and thanks for the work done by the member from Sault Ste Marie and the former member from Algoma, who were quite instrumental in making sure something like this happened.

The other only thing I would say is that it's unfortunate that the bill doesn't go as far as it needs to. I will still vote for it because protection for children is important, and that should be a non-partisan issue as far as I'm concerned. But I would hope that we could extend

this bill to cover private schools as well. To me, it makes no sense that we have a standard that we uphold in order to discipline, in order to remove teachers from the system if they are found to be sexual predators, and do not have a mechanism to prevent them from moving over into the private system. We know that what will happen is that, in some cases, if a teacher is charged and their privileges are withdrawn from the College of Teachers, there is a very good possibility that those people will end up in the private system. Even though I don't agree with the private system, we shouldn't allow those predators into any education system, including that inside private schools. So I wish that as we go through the committee process, we're able to add that to the bill in order to protect children in both the public and private systems.

**Mr Wayne Wettlaufer (Kitchener Centre):** This bill is very important to the young people in this province. We had a couple of situations in Waterloo region in the past year that have come to light, and as you are aware, Speaker, there have been a number of instances throughout the province over the last few years. Justice Robins issued his report last year highlighting some of the problems with sexual abuse of students by their teachers. One thing that was really brought home in my own riding in Kitchener was one student who was perhaps not the most popular student in the school. He was intelligent but needed some help from a teacher, and the teacher used the dependence this student had on the teacher to repeatedly sexually abuse this student over a period of years.

Quite frankly, I am disgusted at that kind of behaviour by any teacher. I have spoken to a number of teachers in Waterloo region over this particular incident and a number of them were horrified this ever happened. They felt quite strongly that the government should take action to ensure—Speaker, I know you're having a hard time understanding me because the Liberals and the New Democrats are carrying on their conversations. I will try to speak a little louder to make it easier for you.

The teachers were horrified and they expected the government to bring something a little stronger to the fore, as opposed to what we have had in the past, and that is what this act addresses.

**The Deputy Speaker:** You're quite right about the noise from the Liberal and NDP benches. I would ask you to please keep it down.

I will recognize the member from Sarnia-Lambton.

**Ms Caroline Di Cocco (Sarnia-Lambton):** The Ontario Liberals agree with any measure that's going to increase the protection of students from sexual abuse. We are going to support this bill. This bill, though, in our view doesn't go far enough to ensure real protection for students. It is incomplete, and that seems to be the way bills come forward from the government. There are always many things that can be added to them.

We believe that the government should, as well, seek a province-wide partnership on this bill with school boards, teachers and other education workers to ensure that children are protected. Too often it seems legislation is

brought forth to this House but the government doesn't have a record of consulting with the people on the front lines and getting their buy-in into the acts and the legislation that's brought forth.

I believe that, as legislators, we have to ensure the safety of our students and put in place legislation such as this. I applaud the effort that is being made to make sure we have increased protection. I have to say as well that there is a bit of concern that this bill may not protect confidentiality, but I believe for the most part the bill is a good step in the right direction when it comes to ensuring safety for our students.

**The Deputy Speaker:** There is one more spot if anybody wants it. I'll recognize the member from Oxford.

**Mr Ernie Hardeman (Oxford):** I want to take this opportunity to commend the member from Simcoe North for his presentation on the bill, which pointed out the quality of the legislation and the need for the legislation, to make sure that our children in our education system are protected.

I want to reiterate, though, that this is not a bill to deal with all educators. This is a very small number of educators in our system. But we must make sure that the ability to deal with those and to make sure they are rooted out of our system is there. I think all educators would tell us that there's a real need for that to make sure that we can properly deal with improprieties in the system. I've had a number of times where parents came to my office and their concern was that the problem was transferred rather than dealt with. I think this bill will go a long way to prevent that from happening.

Again, I just want to commend the member from Simcoe North for a good presentation and explaining not only to this House but to the people of Ontario the problems that this bill is intended to solve in our education system.

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**The Deputy Speaker:** The member for Simcoe North now has up to two minutes to respond.

**Mr Dunlop:** I want to say again that it's a pleasure to respond to the comments on Bill 101, the Student Protection Act, 2001. I'd like to thank the members from Kitchener Centre and Sarnia-Lambton, the member from Oxford and the member from Timmins-James Bay.

Just a quick comment to the member from Timmins-James Bay: we had an opportunity last week to visit the north—Sioux Lookout—with the standing committee on regulations and private bills. I just want to say what a pleasure it is to get to the north the odd time. It was a pleasure, and there was a great reception of our committee for going there to deal with that bill. I sometimes question how you would possibly handle those huge ridings. I consider my riding to be large. Anyhow, it was great to be up there.

I was encouraged to hear both opposition parties say that they would support this legislation. I thank them for that. I know that a number of times it's been said here that maybe the bill doesn't go far enough, but in my opinion this is a great first step. When you put this bill

together with things like the Safe Schools Act, it should help our children. It should make life better and be more conscientious toward the children—but also for the respect that parents will have for our school boards and our school system and of course our teachers. There can't be anything worse for a teacher than knowing that one of his colleagues may have been involved with a child or something at a school.

I hope this is going in the right direction, and I appreciate the opportunity, Mr Speaker, to stand here this afternoon and speak to you and to make a comment on the responses we've had here.

**The Deputy Speaker:** It is now time for the leadoff speech of the official opposition.

**Mr Ernie Parsons (Prince Edward-Hastings):** I appreciate speaking to the bill. I will be sharing my time with the member for St Catharines and the member for Kingston and the Islands.

As has been said by others in the past couple of minutes, this is a bill that is going in the right direction. It's certainly a bill that we as the Liberal caucus are prepared and happy to support because we recognize that for far too many children the experience of sexual abuse in school—sexual abuse anywhere—is a life-altering experience. It removes the wonderful innocence that exists for a child and plunges them into knowing things they should not know and should not have to know. It is a particularly difficult type of abuse when it comes from someone who is in a position of authority, placing the child in a position where they're most reluctant to report it. It is a step in the right direction. That isn't to say that it is perfect.

One thing that immediately jumps out in this bill is that it "requires an employer of a member of the Ontario College of Teachers...." Not everyone who is in front of students in a classroom in this province is a member of the Ontario College of Teachers. That is because this government has chosen with the private schools to exempt them or to not even require that their teachers ever be a member of the College of Teachers.

That is fundamentally wrong for a number of reasons. I would strongly argue that there should be a strong, publicly funded education system in Ontario and not funding going to private schools, as we're seeing what now appears to be about \$500 million that's going to be taken away from public schools, taken away from things like classroom supplies, textbooks, transportation, indeed heating of the buildings, and transferred to a private system. It begs the question as to why this government so intensely dislikes publicly funded organizations like schools. I'm not going to say if we make teachers in private schools become members of this we have solved all of the issues. Certainly everyone who is a teacher and is working with students should fall under this requirement, but that's not this government's decision.

I would suggest that it is not just teachers in the public school system or the separate school system who have the capability of abusing. Unfortunately for all of us as humans, there's sometimes a pretty thin veneer on us. I

would suggest that anyone is capable of abusing. However, in a sense this bill carries on the message that we've got to get tough with our students; we've got to get tough with our schools; we've got to get tough with our staffs. We hear so often language that is a putdown of schools: "We need higher standards," as if schools never had standards. "We need zero tolerance. We need boot camps. We need to get tougher and tougher on the students and on the schools." But in this particular issue, I would suggest that teachers have been the leaders in the detection and reporting of child abuse rather than the offenders.

I was involved with a school board for some 17 years. During that time there were individuals who behaved inappropriately with students. That was dealt with.

I need to also say, although we hear the rhetoric from the other side of "the union bosses will support"—and that's a wonderful phrase they created that makes it sound as if the union bosses came in and took over a union, rather than being one of the most democratically elected positions that exists. The other side has reported that teachers have to do what they're told and that the union will protect anything they do. In every instance that I've dealt with, the federations came forward to support the issue that this teacher had to be dealt with and could not continue the actions.

On the other hand, if I can put on my CAS board of directors' hat for a few minutes, a significant percentage of the reports that come to the children's aid society about sexual abuse of children comes from schools—about teachers who care, about teachers who have recognized in a particular child that there is a problem. It may not be a problem that they can immediately identify. Children who have been abused almost invariably don't want to talk about it. If you ask a foster parent about working with a child who has been sexually abused, they will say it takes three or four months before a child has a comfort level enough to disclose that there is something happening to them.

So for teachers, they often have had to culture or nurture a relationship, because they know there's something wrong in this child's behaviour or in the way this child dresses. That may sound funny, but often children who have been sexually abused tend to layer themselves with clothes as a mechanism to protect themselves from being touched—or a child who just does not behave properly and is nervous and withdrawn and doesn't appear to function normally. It isn't an easy answer, but it's the teachers who identify the problem. In far too many cases, they are perhaps the only person who has come forward. Although neighbours and friends may have suspected it, it's the teachers who have done the groundwork and brought it forward. For that, we need to applaud them.

We also need to recognize that teachers have legitimate concerns coming now because of the fear that—for some kids, school is the safest place they'll be all day. The school is the most nurturing place they'll be all day or all week. Sometimes what that child needs is an arm around the shoulder. Sometimes the child needs a pat on

the back. The student needs to have a sense of self-worth developed that has maybe been destroyed because of abuse. And yet there is rightfully a caution and a concern on the part of teachers now to actually do that. To say, "Well done," is not the same as putting a hand on the shoulder and saying, "Well done." We need to be sure that we cultivate within the community that sexual abuse is absolutely horrible, but there is still a right way to tell a student that they're doing very, very well.

For those students, the school is a place of protection. It's a place where they can have some security. If we look at the statistics of who is doing the abuse, and they're reported to us each month at a board meeting, it is not teachers at the top of the list. It's not even strangers. The number one source of abuse, to our shame as a society and our shame as a civilization, is someone within the home where the children live. That's the number one source of abuse for a child, be it physical or mental or emotional. The teachers are helpers, rather than problems, in this situation. That's not to demean or diminish this bill. It has a purpose.

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It does beg the question, though, if it is important that we recognize that teachers who abuse must be kept away from students, and it is, and this bill provides a mechanism to ensure that they're no longer teachers—in fact, this bill, in a sense, removes from the College of Teachers any discretion. If this happens, that happens; rightfully so. But there are other professions also that have been known to have individuals who abuse—again, in small numbers. I'm thinking of doctors. I know only what I read in the media, but I get some sense out of that that this can go on for months or even years, when people come forward with an allegation regarding a health care professional. If it is important to move quickly on the teacher issue, as it is, it is equally important to move quickly on the other, no matter what profession.

A lot of people in schools risk an allegation on a daily basis. You may have not thought about it, Speaker, but school bus drivers at some time every morning and every evening are on the bus alone with one other individual. We put them at risk. I say "at risk," not that the school bus drivers would offend, but we all know and are familiar with the fact that sometimes there will be allegations made that are not true. They may be malicious. They may simply be untrue. They may be made by a student who's emotionally unstable or having a difficult time at that particular period of time. But we put our bus drivers at risk of being alone.

There's a teacher's rule that has been explained to me, which is that whenever they're in a classroom alone with a student, the door is open. That makes absolute perfect sense. But then we want them to coach sports and at times be alone with the student, we want them to do clubs and we want them to do extra help. All of these good things put a teacher at risk of a malicious allegation. As long as we can trust the justice system to make sure that they're not convicted, we're quite satisfied that everything's working. But for an individual who has had

that allegation made—and I have seen too often that when an allegation is made, it makes the front page of the newspaper. When it's eventually dismissed or charges are withdrawn, it may or may not even make the media. So these teachers will have paid a great price for doing absolutely nothing.

The difficulty I have with this bill is, although it sounds great, we've not seen this government in any other area commit to the safety of students in the school. They're going to protect them from the teachers, says the bill, but I don't see any action to protect them from strangers or intruders in a school; indeed, the very opposite of that.

If we go back to pre-1995, with very few exceptions in Ontario, every school had a principal. They may or may not have had a vice-principal, depending on the enrolment. Every school had a principal; they had a secretary; they had a custodian. Now, the first thought in the way that it's being treated by this government is, "The custodian cleans the building and that's all they do; the secretary types reports and answers the phone and that's all they do and the principal is the principal teacher responsible for curriculum and deciding what classes, and that's all they do. But, you know, that isn't all they do. They do far, far more than that.

One of the most important roles that they fulfill in a school is a side effect that's not usually recognized, which is they are the guardians of the hallways. When a stranger comes into a school, it is not going to be the teacher in a classroom who knows that, because that teacher is very occupied with the ever-increasing class size within the school. It will be someone whose role requires them to be somewhere around the building. Every school board has experienced difficulties with an intruder coming in. They often do a very vile thing. If they can get into the school, they'll go into one of the washrooms and they'll wait for their prey. It's hard to believe that an adult could do that to a child, but they'll go into a washroom and wait, all alone in there.

The important thing, where the custodians can serve a wonderful role, is to find that person or see that person in the hallway and challenge their being there. It is the same thing for the secretaries. The secretaries are able to observe them coming in. School offices were always at the front entrance. As our society changed and in some ways deteriorated, schools that used to have every door open have gone to having only the front door open, so someone coming in would have to walk past the secretary and be challenged. But because of the funding formula now, there are schools that have, for parts of the day and parts of the week, no secretary and no custodian.

In addition, they may have a principal or they may not. We're seeing an increased number of schools that are being twinned. This government uses as an efficiency that one principal can handle two schools, but all too often these schools are 20 miles or 25 miles apart—pardon me for not going metric—which means a principal with the tremendous skills and knowledge that he or she may possess is spending their time driving from one

building to another. There are schools in this province where for parts of the day there is no adult having access to the hallways—no principal, no secretary and no custodian.

Do we lock the front door? That's not an answer because there is a need for parents to be able to come into the school. There may be a crisis at home, an urgent matter, a change in babysitters—whatever.

Even schools that have principals sometimes don't have the principal in the front office. The principal is in a classroom teaching. In order to fit within the wonderful funding envelope this government has provided, they have to teach. Some schools have dealt with it in the only way they can, and that is to have an answering machine answer the phone. Parents have spoken to me and said that when they have a crisis and need to get hold of their child immediately, it is frustrating and indeed dangerous to phone a school, get an answering machine, leave a message and wait for the school to return the call after school.

How did this come about? This is a government that purports to have improved the funding to education and that things are better than they were. The ads are better than they used to be, but the reality is that the classes are larger, that we're seeing fewer textbooks—this government cut the funding for secondary school textbooks by 50% this year over last year—and that they've cut the funding for a large number of things such as transportation and heating for schools. In my own school, the Hastings and Prince Edward District School Board, I'm receiving letters and petitions on a daily basis, because in essence that board has enough money to fund the buses until about February. That's the allocation this government has given to them for transportation.

The government came up with the wonderful concept of everything is tied to the pupil, so they will get x number of dollars per student. That means that for a school that is large, and there are many smaller Ontario schools that still serve a purpose, the funding generated per pupil will fund enough to pay for a full-time principal, a secretary and a custodian. That is not the case for smaller schools. The easy answer we would hear from the government is to close the smaller schools and bus the children to larger ones, but when we have children who are already on the bus for an hour, closing a school could result in a child spending an hour and a half or two hours on a bus getting from home to school. The buses don't just pick up a child and drive straight to the school. They have to stop and stop and stop. Two hours each way on a bus is clearly not acceptable.

We are facing an era of declining enrolment for schools in Ontario. As the number of students declines because of births—granted, there are only about four or five boards that are experiencing the decline because of the population decline—the reality is that over about the next eight years, the majority of boards are going to be experiencing declines in the number of students. The baby boomers and the echo of the baby boomers have gone through, and we're now seeing lower numbers in

most of rural Ontario. Metro Toronto certainly has immigration that keeps the numbers strong, but in rural Ontario there's a decline.

As the numbers decline, you generate fewer teachers on that money and you generate fewer everything: less bus money and fewer secretary and custodian dollars. But whether a school has 250 students or 200 students, it still costs the same amount of money to clean that school. It still costs the same amount of money to have a principal in that school. It still costs the same amount of money to have a secretary in the school. So as the schools experience decline, they have to make cuts. The cuts that get attacked first are the ones that are outside of the classroom, such as a secretary. The bus that they get fewer dollars for: it costs the same money to run the bus.

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There's no recognition that there are certain fixed costs. I look at this Legislature. There used to be 130 members; it went to 103. The cost of heating this building is exactly the same now as when there were 130. The cost of providing security for this building—when we went from 130 to 103, they did not reduce the number of security guards we have here, they did not reduce the number of people we have at the Clerk's table, because the work didn't change. There may be fewer people here, but the workloads continue to be the same.

They somehow can't carry the logic that what's good for the House and what's right for the House is also right for a classroom. So now we're seeing schools with fewer and fewer supports. The schools are dealing with it by saying, "We need to have a secretary a certain number of hours." A secretary that the formula would generate for eight hours a week is simply not realistic and not practical. So schools are taking other dollars, all of which are needed for students, and moving them into secretaries. I would suggest that the move is because of student safety, and having a principal at the school is because of student safety. So if we want to worry about students being safe from teachers, we need to be more worried and more concerned about students being safe from intruders. While this bill deals with one small part of the problem, it doesn't address the total issue, that this government has put the safety of students at risk in many of our smaller schools, not necessarily in rural schools but just in our smaller schools.

There's another interesting thing with respect to child sexual abuse. This government changed the legislation for children when they have been abused and brought into care. The legislation now says that a judge has to consider what's in the best interests of the child. Good stuff. It used to be what's in the best interests of the family, and sometimes when you're saying "in the best interests of the family," you were saying what's in the best interest of the offender, along with the victim. The legislation now says "best interests of the child." That has resulted in more children coming into care. These are children who were at risk, were being abused and who sometimes could have come in and out of care three or four times. These are now children who are being assured

of a place of safety. So clearly it sounds like this government is committed to the protection of children. But in the last month, children's aid societies have been cautioned that there may not be the money to protect these children who are at risk.

All of the children's aid societies in Ontario combined are now projecting a deficit of somewhere around \$57 million. Most of that deficit, probably about 85% to 90%, comes from more children in care. Now we are hearing two things from this government: one is, "You must bring into care any child who is in need of protection." Good stuff. On the other hand they're saying, "But we're not sure whether financially we'll be able to reimburse you for them."

Children's aid societies don't own a printing press that makes money, they can't carry a deficit and they have to balance their budgets. They can buy a little bit of time by borrowing the money from the bank into the next year, but ultimately they need to be able to pay it back. So children's aid societies are getting a very mixed message from this government, not unlike that of community care access centres: "You must handle the caseload but we simply can't fund you." So we have children at risk and we're being cautioned. They haven't said they won't fund it, but we're being cautioned that if more children come into care, there may not be a mechanism for reimbursement.

Let's look at the problem that this bill attacks, which is teachers who abuse, and we'll deal with the teachers. We also need to think about the child who was molested. If indeed that happened, as I mentioned at the beginning, the student has had his or her life altered by that experience. In far too many cases, students haven't come forward and talked about the abuse for five or 10 or 20 years. It is so horrible that they've internalized it and don't wish to discuss it.

Whether they come forward 10 years after the abuse or whether they come forward two weeks after the abuse, they need support. They need counselling. This is not something they're able to deal with on their own. Far too many of them think, "I've done something wrong. I must have done something to provoke this. I must have done something to tease them. I must be partway to blame."

They've also probably been threatened, "If you tell anybody, this will happen." So they are frightened, and in the case of younger students, these are very frightened young people who worry that it will happen again, perhaps from another person, perhaps from the same person.

What does this government provide in the way of mental health services for young people in this province? Almost nothing. For a child to come forward and disclose that they have been abused and then have to wait six months, a year or two years for counselling is almost cruel. They need to talk it out. I can even tell you that for many of them it is so embarrassing that they don't want to talk about it with their parents. Even going into court to testify, to sit in public session and testify, is a very difficult experience for them. There need to be resources

available to counsel these children the immediate instant that they make the disclosure, to counsel them through the court system and to work with them until we have, to the best of our ability as humans, taken and restored their outlook on life. We'll never get them back 100%, but certainly we need to do something to counsel them with that.

We heard reference earlier from one of the government members about their accomplishments, and one of the things listed was their Safe Schools Act and how very proud of it they are. I believe it was just this weekend that we heard a group of parents come forward and say that zero tolerance is in fact creating problems. You see, zero tolerance is brought forward on a formula that says, "Here's the offence. There's the solution." Bang. Everything is simple. All these students are really just little widgets, and if they're all little widgets, we can treat them as little widgets and handle the problem in the same way.

What we're hearing from the schools and the parents is that life isn't that simple. Students aren't little widgets. Students have unique problems. I would suggest to you that a child who has been sexually abused at a school may misbehave, may handle it most inappropriately. There's a craziness that if that child doesn't disclose the abuse but rather behaves inappropriately, under zero tolerance they get turfed out. They get thrown out. Maybe the abuse happened at home, and they get turfed out to go home and spend all day there.

Zero tolerance doesn't recognize that people in communities all over Ontario have brains. They have an understanding. They don't need a guidebook on how to think; they need the empowerment to be able to sit down and say, "Yes, this child lifted a stick and was using it as a weapon, which is horrendous, but this child is developmentally handicapped or this child acted totally out of character because of something that was said or done to them."

I remember being a student and I can recall a time when I was sitting at a desk and the student next to me was observed eating a chocolate bar by the teacher. He leaned over, put the chocolate bar on my desk and said, "Here, Ernie, you can have your chocolate bar back." It wasn't my chocolate bar, but I became the offender simply by his transferring it over to my desk. There are young people being accused of things at times that very well may have been triggered by others. Those who appear to be the offenders can be the victims. Schools, school staff, police and counsellors need the ability to deal with that particular issue.

**1630**

The Safe Schools Act presents problems, because for many children the abuse they have experienced causes them to behave inappropriately and to lash out at others because it's their only mechanism for venting the frustration and anger they have experienced over it.

This bill, as I mentioned earlier, is just a great start. It needs to go much further, because it doesn't deal with the additional issue, which is that sometimes individuals will

spend a great deal of time cultivating a victim. Rather than being bold and doing an offensive thing, they may start with a student and give them gifts and be their friend and encourage them and just be their absolute buddy until that individual has graduated from school or gone to another school, or they have. So we're watching, at times, a victim being set up.

This bill needs to deal with that. This bill needs to give the principal, needs to give the superintendent and the director in the school board the authority to say, "This behaviour is inappropriate. It does not look right; it does not smell right. There is something wrong with this and we need to deal with it." Although there's not a victim at this point, if we saw someone standing outside a store with a gun, we'd have a pretty good idea that that person is going to go in and rob the store, and the police would be able to intervene before they actually went in the door and committed the crime. We need the same thing, not just with teachers but with any other individuals who carefully cultivate and develop a friendship, or a fake friendship, that is really there just to allow them to abuse.

We support the bill, but we believe it should be more all-encompassing than it is. We strongly believe it should apply to every individual who is in front of a classroom or works with students, not just teachers. This is simply part of this government's continued vendetta of, "Teachers are wrong; teachers are nasty." I wish we would hear more about the 99.999% of teachers who do not commit offences against students but in fact are very, very nurturing toward them. The bill in some ways is unfortunate in that it again presents them as offenders when it is a very, very minor part of a teacher's day.

**Mr John Gerretsen (Kingston and the Islands):** Just picking up on the last point that the very knowledgeable member for Prince Edward-Hastings makes—because, after all, he was the chair of the school board there for many years, so he's certainly a knowledgeable individual when it comes to school matters and how boards have dealt with these very unfortunate situations—it is true that probably what is lacking more than anything else within our educational system right now is a boost in morale for the teachers, the people who are involved with our young people on a day-to-day basis.

It's certainly my impression, from talking to teachers over the last three to four to five years, that many of them are burned out. Many of them feel they are simply not being held in high regard by this government. Just about every action that's been taken in the educational field over the last two to three or four years has been an act of a negative connotation in one way or another. I'm absolutely convinced that the first thing that needs to be done if we want to elevate the education system, if we want to bring some excitement back to the education system, is to show our respect for the teachers and to work with them. We have to build up the morale for the teachers.

As the member for Prince Edward-Hastings has stated, we will be supporting this bill. Sometimes members of the opposition get accused of always being against some-

thing that's being proposed by government. This is a perfect example where we are not opposed to a bill merely for the fact that we're in opposition. We're supporting this bill.

We think there could be a better bill, and there were a number of amendments made in committee that I believe could have been followed. I'd just like to go through a number of ways in which we think the bill could be better than the bill that's presented here today.

The first question I have, and it has already been raised in this House—it was raised at committee and it was raised during second reading—is, why weren't private, independent schools brought within the confines of this act? Why is it only in the publicly funded system that in effect this kind of action is possible? Why does the bill only apply to that? I have not heard one argument from one government member, from the minister to the parliamentary assistant to any of the 56 members opposite, to tell us exactly why private, independent schools were exempted from this legislation. It leads people to believe that this is another attack on our publicly funded education system. That's the only conclusion that you can come to.

Let me make it absolutely clear that I think the kind of conduct that this bill speaks to is abhorrent under any circumstances and should be dealt with in legislation. But it should not just be confined to the publicly funded system. So we're still waiting for an answer. We asked that question in committee, we asked it during second reading, and now we're asking it again: why are you not including the privately funded, independent schools within our system?

The other thing I find interesting is that this government really believes that the way you effectively fight a wrong in society is to increase the fines. We've seen it in so many different acts. We had one the other day where I think the fine was \$50,000. What was it again? It was \$5,000—I shouldn't exaggerate—if you were caught parking in a disabled parking spot. The real question is, is anybody ever going to issue a ticket under those circumstances, and is anybody ever going to voluntarily pay a ticket under those circumstances? I think you'll probably find out in another year or two that there's never been a ticket issued under that particular provision.

It's the same thing here. There's a \$25,000 fine which can be levied upon the employer for not reporting this to the authorities, to the registrar, within 30 days of an event occurring. The question I have is that the employers in all cases—at least it's my understanding, and again I leave it to a government member to correct me on this—are the various school boards around the province. They are the people who hire teachers and fire teachers and terminate teachers' contracts. The fine for not reporting by an employer—in other words, by a school board—is \$25,000. The real question is, who pays this \$25,000? The publicly funded education system is totally funded by the province, by the property tax base and, yes, by a lot of fundraisers that now are being held in various schools in order that they can have the proper supplies and things

like that. But basically our education system is publicly funded. So if you're talking about a \$25,000 fine being levied on some school board, who ends up paying that fine? The taxpayer. Unless you attach some personal responsibility to, I don't know, the director of education or the board or somebody to actually pay this fine, attaching a \$25,000 fine in a situation like this means absolutely nothing.

I suppose it's like many of these other situations. It creates a statement out there where people are led to believe, "The government really thinks this is a serious situation, and if school boards don't report these incidents, we're going to get them. We're going to fine them \$25,000." But if the school boards, in effect, pay the \$25,000, it just means they have to come up with the money elsewhere or they're going to have to reduce some sort of programming that's being carried on by the board of education. In the end, the fine will hurt the students because there's less money in the system for that school board to expend on the students in their education. I'm just pointing that out, that again it is the symbol that this government is trying to create by saying, "We're going to really fine people." It makes a statement, but when you look at what's behind it, you realize that in effect the people who are going to be hurt are the students you're trying to protect, because there will be less money in the system to educate those students. That's the second point I wanted to make.

The third point is kind of interesting. I understand the Robins report dealt with these kinds of situations and it made a number of recommendations. One of the recommendations that it made in promoting the enactment of the bill we've got before us is that they keep using in that report the term "sexual misconduct." For some strange reason the wording that is used in this bill talks about "sexual abuse." As has been pointed out by others as well, sexual misconduct is much broader and wider than sexual abuse. I would like to know from the minister or the parliamentary assistant why the terminology used in the Robins report was not used in the act. Why was there this need in effect to limit the offence to sexual abuse rather than sexual misconduct? We have not had any response to that.

1640

The other issue, and it has already been pointed out by the member earlier today, is, why are we limiting this just to teachers? There are many other people in schools who may also be involved in this kind of activity. I just want to reiterate, and it's already been stated a number of times, that we're talking about a very small minority, and we certainly all hope this would never happen again in our schools. We're not talking about every teacher or everybody who works in a school, by any means. We're talking about a very small number of people, predators, who get involved in this kind of activity.

The point I'm trying to make is that we're not just talking about teachers. We have custodians in schools. We have bus drivers, as you've already heard. We've got other clerical people in schools etc. Why were they

excluded from the act? If we're trying to protect our children in the school environment, why do we limit that protection under this act only to teachers? I don't understand it. Maybe somebody can explain it. There's absolutely no reason why all those individuals who are involved with our children in the education process could not have been included in this act.

I guess it's a combination of all these factors that leads me to believe—and perhaps I'm getting cynical at this job. Why is the government allowing so many loopholes in a bill like this? Is there another agenda at work that we are not aware of in this Legislature?

One other point is that the legislation also specifies an employer must report to the college if they fire or restrict a teacher's duty as a result of professional misconduct. As my briefing note points out, this leaves a loophole for a teacher who may be transferred to another school. I've known of those kinds of situations, and I've heard about it over the years, where quite often individuals who are involved in these kinds of abuse situations are usually very skilled at either hiding that fact when they go elsewhere or at somehow being able to deal with it in a very effective way so that they can get a job with another school board. We've all heard of those kinds of situations. If there are allegations like that, why do we allow this in effect as an out so that a transfer could possibly take place?

I'm sure that in all these instances the government doesn't mean not to do the right thing when it comes to situations like this, but these issues were raised during committee. Amendments were brought forward to tighten up this bill. It's my understanding, and I wasn't at the committee hearings during the entire period of time, that for whatever reason none of the amendments were approved or accepted by the government.

I've tried to point out a number of instances in which the bill, as far as we're concerned, lacks the kind of specificity or tightness that would be required in this bill. We still look forward to hearing from the government as to why these particular loopholes are left there. Obviously we hope the provisions of this bill, and of the act once it's passed, will not have to be used in Ontario. We all want the best for our children. The kind of devastation it leaves in a young person's life has been so well spoken to by the previous member, who was chairman of a school board and regrettably probably has much greater knowledge about these issues. I'm sure he wished he had not been involved in or heard about those kinds of incidents in the school board or the school community.

Our ultimate hope is that there will be sufficient resources put in place, for example, to deal with the tremendous effects this is going to have on young children. There's absolutely nothing in this bill that suggests for a moment that when something like this happens, the resources will be made available in counselling, in therapy and in so many other ways that not only may be necessary but will be absolutely necessary if we want to make sure any young individual who is subjected to this

kind of conduct can overcome that experience in a meaningful way.

I simply ask the government to explain to us why they didn't accept our amendments and why they are against making this bill, which is a good bill in its first attempt, a better bill so that the children in our schools will be protected to the greatest degree possible. With that, I'll turn it over to the member from St Catharines.

**The Deputy Speaker:** Before the member for St Catharines takes the floor, I'm sure the four government members who've been holding an increasingly animated meeting over here will want to pay very close attention to the long-serving member from St Catharines who now has the floor.

**Mr James J. Bradley (St Catharines):** Mr Speaker, with the first part of that, probably there would be concurrence; with the second, I'm not all that certain.

I want to say, first of all, that we in the Liberal Party are in favour of this bill. I think there's a good consensus in this House that the provisions of this bill, even with some of the weaknesses, are such that there would be support. It's interesting because there has been considerable opposition to this government from the teachers on much of its legislation in the field of education. The teachers, in other words, have found the bills to be unnecessarily punitive, with motives they believe are anti-teacher and not in the best interests of education. That's not the case with this bill. Clearly, with this bill, there is support from the Elementary Teachers' Federation of Ontario and also from the Ontario Teachers' Federation, both of which feel it is in the interests of the students, and that's whose interests they have at heart, to see this bill passed and strengthened in any way we can.

One of the concerns I have with this legislation, and a certain aspect of the teacher-testing legislation, is it exempts people who are not members of the Ontario College of Teachers, uncertified teachers, if you will. This of course has people in the publicly funded system saying that this government is now prepared to partially fund private education, to let government dollars go to private schools, but is not prepared to impose on those schools the same rules and regulations we see applied to the publicly funded system.

Mr Eves, who is going to be reincarnated as a candidate for the leadership of the Conservative Party, has noted, for instance, his concern with the tax credit, or as some people call it, the voucher, that is going to be provided for private education. Mr Eves has said he believes it should only go to those schools that teach the Ontario curriculum, that if there's a significant variance from that curriculum, he believes the funding then should not be provided in that educational situation.

I certainly understand that if you're going to fund private schools, as this government has decided it's going to through a little bit of an indirect way, then if there's government funding going to those schools, it seems to me that those schools should adhere to all the legislation that is passed in this chamber. We clearly see an exemption for that.

1650

I don't know where all the candidates stand on this. Perhaps when they have their public debates, we'll see some differences, just as I was noting in the announcement of the Minister of Labour today—you'd be interested in this, having been labour critic for the New Democratic Party in a different incarnation, Mr Speaker—that he does not believe you can have tax cuts next year. He said that at his press conference. They said, "Do you believe in these tax cuts?" He said, "If you're facing a deficit, you can't do that."

You will remember, because you've been a member of this House long enough to remember, that there were certain members of this government who warned the Harris government some time ago, back when they were embarking upon the so-called Common Sense Revolution—my friend from High Park-Parkdale calls it the Comic Book Revolution, but whatever you want to call it; I'll be kind enough to call it the so-called Common Sense Revolution. There were four or five members of the government caucus who warned that you don't cut taxes till you've balanced the budget, because then you'll be borrowing money to finance a tax cut. I think that's what we're seeing from the Minister of Labour now. He's understanding what we in the opposition have been saying, that these tax cuts are mindless, that they're not going to produce what you need, particularly when you're facing a deficit.

I should add, because there is an interesting speech being given in Ottawa today, I thought perhaps the minister of business relations might be in Ottawa to hear his present leader speak to the Canadian Club. He is doing what he does best, and that is taking a run at the federal government. As you would know very well, although you're neutral in the chair, this government and its members, including the Premier, are first in line to accept the credit and last in line to accept the responsibility. So we have the Premier in Ottawa today looking for more money from the federal government. I don't know if it's to provide the implementation of this bill or not, but my conclusion is that they've noticed that they're going to lose all this revenue, so the Premier needs money to finance his tax cuts. Remember, there's a \$2.2-billion tax cut for the corporations that is going to be implemented, there is a \$950-million income tax cut and there's the at least \$300-million voucher for private education. All that adds up to \$3.5 billion.

In Hamilton, could you see how you could utilize that kind of money, whether it's in education or health care or the environment, something of that nature, Mr Speaker? I think you could contemplate that quite nicely.

So what he really wants, because he knows he's going to lose this revenue, is that money to pay for his tax cuts. We won't see any more money spent, any more money invested by this government in health care. What we would see is simply taking the money, as they've done on four or five occasions, put it in their pocket to finance the tax cut and show a balanced budget and everything is

fine. But we really have the province not committing a penny more to those programs.

I note as well that Carol Goar wrote an article in the *Toronto Star* on July 21 in which she outlined four different categories where the provincial government had taken money when the federal government had given it. You have students; you have McMaster University in your riding, Mr Speaker. Those students were to be the recipients of the millennium scholarship. The Ontario government said, "That's fine. We will take that money and we'll pay your loan back with it. We'll take the money away. It's not additional funding for you." So that was one example where they took the money and stashed it and paid for their tax cut.

I was just talking to my constituency office. I got a call this morning from a desperate person who was saying, "I need the child tax credit." The federal money is coming in a greater amount and now the province is clawing back its money. So again, the federal government brings more money in and the province just says, "Thank you. I'll take that." They put it in their pocket, pay for their tax cuts for the rich and the powerful and everything is fine as far as they're concerned. There was another one on welfare that was similar. There were four different instances that she happened to mention. I wish I had more time to delve into them.

But that's where I get to looking at the implementation of this bill. There are always financial implications to any bill. The poor Chair of Management Board has got the job now of having to wear a scowl on his frown. That's what he's going to have to have when he meets his colleagues in cabinet, because there isn't going to be the money there. The Treasurer is busy giving it away left and right to the corporations and others, so the poor Chair of Management Board has to accept the brunt of criticism from his colleagues. It's not his fault. He's the victim of the Treasurer of this province and the Premier. I'm trying to help him out as much as I can.

What we're seeing is that, just as I was saying the other night in a speech in this House to my friend Mr Sterling, the Minister of Consumer and Business Services, he's not going to have the money invested to implement his legislation because this government is obsessed with tax cuts. Not the Minister of Labour—obviously he's off that bandwagon. I suspect, as you would, when they come to the all-candidates debate in Hamilton or St Catharines or wherever they happen to have it, we'll see people falling off that wagon left and right, because the provisions of this kind of legislation can't be implemented without taking into consideration the financial implications and paying for those implications.

Most people I'm talking to today are saying to forget about further tax cuts, even if they appreciated them in the past and maybe felt the taxes were high in the past. They're saying, "Forget about that. Let's put the money into services. If you're passing a bill of this kind, let's provide the funding to be able to implement the provisions of this bill." If you need it for the health care

system, come on, let's put it in the health care system. Remember that \$200 cheque that showed up last year? Most of those people, and particularly I thought of the people in Walkerton, would have preferred the government to have invested that in environmental protection as opposed to simply giving it away in tax cuts.

It would be different if they worked. I want to be fair. I want to be fair to this government. I have never given them credit for the economy booming in Ontario.

**Mr Wettlaufer:** You've never given us credit for anything.

**Mr Bradley:** No, I want to tell my friend from Kitchener, I don't blame them now that the economy has gone down, because you and I know—we're close to the border—it's all to do with the American economy. When the American economy was booming, Ontario was booming. Now that the American economy is not booming, of course Ontario is way down in terms of its revenues and its economic activity. I understand that. I don't blame them.

Where I do blame them is for the recipe they have for solving that, the solution for it, which is more tax cuts. Responsible financial people are shaking their heads at that. Responsible economists say that the combination of tax cuts and expenditure cuts is in fact contractionary. The only one who doesn't believe that is the person who writes the government notes.

I well recall, and you were a minister of the government of the day then, Mr Speaker, that they were very critical of the NDP government when it was making a pitch for more federal funds. They called them whiners and they shouted and the Premier said the feds weren't cutting enough. I remember that. They weren't cutting enough to suit him. Now the tune has changed because the one thing they do very well is point fingers somewhere else.

I was suggesting today in the House that I think the Minister of Labour may be a person of the future. He's not going to get up in the House as all these ministers do and point his fingers at the NDP or the Liberals and say, "It's all your fault. You were worse," and so on. I expect the Minister of Labour to do something else, to think of the future. He obviously is, when he agrees with us that you can't have further tax cuts when you're facing a deficit in the next year.

1700

As Speaker, you'll be critical of this, and understandably so, but while question period was on I was engaging in a bit of a spirited discussion with the Minister of Finance over the dollar. He was complaining about the low dollar. I asked him what he thought it should be, and he said \$1.05 is what it should be. Can you imagine the unemployment in Hamilton, St Catharines, Essex, Kingston or anywhere in this province if that dollar went to \$1.05—in other words, if the Canadian dollar was worth more? It would be good for the people heading for Florida. If they're heading to a condominium in Miami, they could cheer that. But I would think that, for instance,

the tourism industry here would be devastated by a dollar that would be \$1.05 for an American dollar.

I think one of the reasons we've got a booming economy is that we've had low interest rates, and that's a responsibility of the federal government, we've had a low dollar, and that's partially federal policy and partially economic circumstance, and we've had a booming American economy. So those three have combined and now the chickens have come home to roost. We're now into a recession in Ontario and this government doesn't know what to do because it's a one-trick pony, and that one-trick pony it trots out is tax cuts.

If you said to people, "Here's a tax cut, but you can only have it if you spend it now on a service provided in Ontario or a product made in Ontario," and you compelled them to do so, it might have some effect. But of course, you don't know what they're going to do with the money. They can do whatever they wish—take a trip to Spain, buy a luxury vehicle that is built overseas or perhaps not spend the funding at all—so there isn't the payoff. Remember how Ronald Reagan ran a huge debt in the United States as a result of this supply-side economics, a huge debt that the United States was able to start wrestling with only under the Bill Clinton administration? We're going to see that debt go up again because the George Bush government now wants to give away billions of dollars in tax cuts.

This is a piece of legislation that will require some finances to implement it. Is it a bill we're going to agree with? It is. There's a consensus in this House and there's consensus in the community out there. It's got some deficiencies. The government, I think, has introduced one amendment, but the most significant amendment could be to make it applicable to all teachers who teach in any of the schools in the province of Ontario, including the private schools which are now getting funding through the special tax credit that the Minister of Finance is going to provide and that has caused some significant dissension within the caucus and the cabinet of the government of Ontario.

**The Deputy Speaker:** Members now have up to two minutes for questions or comments.

**Mr Bisson:** I want to respond to two points that were made by the member from St Catharines. The first one I want to deal with is where the Premier is today on the whole issue of fed-bashing. I was a member of the government from 1990 to 1995, and I remember how the member from St Catharines, Mr Bradley, was somewhat sympathetic to the problem we had, which was that the federal government under Brian Mulroney was decimating transfers to the province of Ontario. I remember our Premier, Mr Bob Rae, when he stood in this House and outside the House at various events saying we needed the federal government to come back to the table to give Ontario back what we called its fair share.

Michael Harris at the time had a very different opinion than he does today, because back then what did he say about Mr Bob Rae? He called him a whiner. He used to stand in this House and say, "Quit your whining. What

you've got is a spending problem. You don't have a revenue problem." In fact, I remember the comment he made when it came to the cuts that Mulroney was making to the provincial government. He said the cuts didn't go far enough. Now, I wonder what happened to Mr Harris on the way to his chair in the Office of the Premier, because now he takes a much different line. The member reminded us—and I think it's well that he reminds us because I hear the Premier get up time and time again and do, yes, what is called fed-bashing, talking about how the federal government has downloaded its financial problems on to the provinces, something I agree they shouldn't have done. I just say it's somewhat hard to take when I hear the Premier of the province of Ontario today get up and whine about how much he's being cut by the federal government when he was nowhere to be seen on that front when it came to us trying to get our fair share from the federal government.

I thought that was a point that was very well made and I thought, man, it's about time we hear that said in this House again. I don't know about you, but I'm tired of hearing Harris whine all the time.

**Mr Hardeman:** I am pleased to have this opportunity for a couple of moments to speak to the members from the Liberal Party speaking to the bill at hand, which is the bill that will put a law in place to make sure we can protect our children in our schools from teachers who are not what they should be.

I just want to make a comment to the member from Timmins-James Bay, who didn't have the courtesy to say that he was here from 1990 to 1995. That was the period of time, Mr Speaker, as you will know, when they went from what the Liberals call a balanced budget—which was about \$3 billion short—to \$11 billion just five years later in deficit. I find it interesting that he would take credit for having achieved that, because I think the people in Oxford county don't see that as a great achievement, that you would spend \$11 billion a year more than you were taking in to try and address the priorities that the government had set. I think they want more than that.

But as the member from Timmins-James Bay mentioned, the members across the aisle who were speaking to the bill have spent a lot of time talking about the fiscal situation in the province when they were in power and the fiscal situation we have today, but that's not the bill that is before us. The bill that is before us is to put a framework in place to make sure that we protect our children in the schools from teachers who conduct improprieties in their teaching, and that should be looked after. As I said previously, I think it's very important that we have a system in place to make sure that those teachers are dealt with and do not just move to another location, that they are not just left in the system for more children to be hurt by. I'm very happy to hear that the majority of the members on the opposite side are going to support this bill.

**Mr Bruce Crozier (Essex):** I want to rise in the two minutes I have to point out that I too, along with my

colleagues, will be supporting this bill, but with some reservation, because with all its faults and with its attempt to protect the children in our schools, this bill is not going to protect those students who are not in the publicly funded system. This government is moving to give anywhere from—what?—

**Mr Bradley:** From \$300 million to \$500 million.

**Mr Crozier:** —\$300 million to \$500 million to private schools, but they're not going to ask that the private schools play by the same rules. That just is not right.

I want to go to my colleague who just a few minutes ago mentioned about this government and its whining. It's really comical to watch this. When I first came here in 1993, when Mike Harris was the leader of the third party and the NDP was in government and facing some extremely difficult economic times and was going to the federal government for money, yes, Mike Harris sat right down there and accused Premier Bob Rae of doing nothing but whining. I'd say the biggest whiner in the province is in Ottawa today doing exactly the same thing that he pointed his finger at back from 1993 to 1995. Everything that goes around comes around, doesn't it, eventually? Here it is today, and all he's doing is whining, because what this government did and continues to do—at the outset they borrowed some \$10 billion to pay for their tax cuts. They're still short-changing us for the sake of their tax cuts.

1710

**Mr Rosario Marchese (Trinity-Spadina):** I want to tell you that I'll be speaking in a couple of minutes so I haven't got too much to say, except to support the member from St Catharines, who is usually dead on in his remarks with respect to these issues, particularly in education. He talked about the whole issue of private schools and the fact that private schools are about to get 500 million bucks. He asks, as we do, where are you going to get this money?

**Mr Hardeman:** Where did you buy the calculator?

**Mr Marchese:** The member from Oxford is so unhappy to hear that.

He actually believes that it won't be \$500 million; it will be \$700 million. I'm not calculating it right. He's right.

**Mr Hardeman:** Stick to the facts.

**Mr Marchese:** The facts are that Mike Harris said it would cost about 500 million bucks to 700 million bucks.

**Mr Hardeman:** Where did he say that?

**Mr Marchese:** The member from Oxford is clueless. He doesn't even know his Premier said that. Please don't say anything, because the Premier did say it. We know. It's on the record.

**Mr Hardeman:** No, Rosie, you don't know.

**Mr Marchese:** Actually, the member from Oxford puzzles me. He's actually saying it in such a way as to make it appear as if I don't know and he does. What he doesn't know is that he doesn't know. It's on the record. We, in public estimates, in committee, quoted Harris, quoted Ecker, saying that they don't support the idea of

extending public dollars, because they know that anywhere from \$300 million to \$700 million is going to go away. They know that.

What he also said, which I will be speaking to in a couple of minutes—

**Mr Hardeman:** That was full funding, Rosie. You know that.

**Mr Marchese:** I'll get to that in a minute. I don't have time now.

He also said that the non-certified teachers in the private system will not be covered by this legislation. They are protected by not being covered in this legislation. He argues, as I will, that it's wrong, and in that regard we agree.

**The Deputy Speaker:** One of the three original speakers now has up to two minutes to respond to the questions and comments.

**Mr Bradley:** On behalf of the member for Prince Edward-Hastings and the member for Kingston and the Islands, we appreciate the input from two members of the New Democratic Party, a member of the Conservative Party and a member of the Liberal Party on the remarks that were made. One of the three speakers was a chair of the board of education in his area and brings a good deal of knowledge about this matter.

I think we've finally solved the whole mystery of whining at the present time and who is doing the most whining with the least justification. I think it's three to one that Premier Harris is the one doing the most whining. I like to be democratic. I go by democracy, and I notice it was three to one, the speakers who said the Premier was whining.

I want to go back to this very contentious issue of the funding of private schools. If you're going to fund them—and you know the opposition is not in favour of funding these private schools; no public money for private schools, although they are allowed to exist. But if you're going to do it, as you said you are going to, then of course we would expect that you're going to apply the same rules and regulations to teachers in the private school system that you are funding now as you would in the public school system, that whether it's teacher-testing legislation you have before us or whether it's sexual misconduct, you're going to hold everybody accountable to the same rules. That's only fair. That's the road you go down when you start funding all of these schools. You have to say, because the taxpayer will demand it, that if you're going to provide funding to private schools, you have to provide the same rules and regulations. That's what we would like to see in this bill, and it's not in the bill at this time.

**The Deputy Speaker:** It is now time for the leadoff speech for the third party.

**Mr Marchese:** I want to say to the viewers of this political forum that I support this bill. We've said it before and we'll say it again. We will connect it to many other issues, because of course this doesn't stand alone; it's very much connected to so much damage that you've

done to the educational system. So I will attempt to do that.

Before I get into the substance of the bill as well, to the member from Oxford, I need to tell you that your Premier, in a submission to the United Nations, in his defence—

**Mr Hardeman:** That was full funding. You know that.

**Mr Marchese:** That was full funding. OK. I'm going to do my best to explain it as best I can. The member from Oxford says that was full funding that he was talking about. No, he talked about how extending public dollars to the private schools would cost 500 million bucks. The Minister of Education said extending public dollars to the private schools would cost \$300 million.

**Mr Hardeman:** Full funding, Rosie.

**Mr Marchese:** No, member for Oxford, there was never anything on the record that has the Premier or the minister distinguish or define, with some adjective or other, that what we mean is that full funding would cost \$500 million and some other type of funding would cost less money.

Private schools are going to get up to \$3,500 per student within a five-year period and the countdown is this year—\$3,500. It is true that in this system most students are getting, give or take, \$5,000. It is also true, viewers of this political forum—and the member from Oxford may or may not know it, it's uncertain—those parents get charitable support for the charitable contribution they make to their private schools, and the daycare component as well—federal and provincial. When you top up federal and provincial contributions, including 3,500 bucks that comes from the government—and by the way, the other support comes from governments too, which is taxpayers' money—you add up all the three levels of support, you get more than what we get in the public system.

*Interjection.*

**Mr Marchese:** The member for Oxford says, "Get out your computer and add it up." He should try to do the same. Better still, consult the minister's staff, because I think these people are paid to do the calculations, and see whether or not they would send an honest figure your way when they calculate what they get by way of the federal government and the provincial government for the various contributions you make as a charitable tax cut and the daycare component. You add those two up, plus what you're going to give, and the taxpayer is going to get stiffed again and again and again. It's not going to be pretty, because there is no money.

**Mr Hardeman:** That was due to your deficit, Rosie.

**Mr Marchese:** The member for Oxford reminds you political viewers of this wonderful assembly that when the NDP was in they racked up a huge deficit. That is very true. I admit that; we can't hide from it. It is equally true that that recession was a hurtful one.

I've got to tell you, Ontarians, we are in for a rough ride. You thought you were not in for a rough ride, some of you, while these people ran this wonderful economy

that worked so beautifully. They felt they never had to worry about a shortage of money. You felt everything was OK. But I know some of you felt the hurt a little bit because you said to yourselves, "My goodness, doesn't it feel awfully bad that somehow our health care system is in shambles and we're not getting the kind of health benefits that we should be when the economy is so good?" Many of you probably have said, "My goodness, these Tories think we have such a great economy, yet the educational system is in shambles. Why is it so? If the economy is so good, why are we feeling so bad? Why are our wages so low, and why is minimum wage at \$6.85 an hour? Why are rents skyrocketing?" Rents, in Toronto and every other major city in this province, are skyrocketing. In this wonderful, healthy economy of ours, there are more homeless than you can count these days. In this great economy of ours, there are homeless people, more now than we had when the NDP was in control of that economy, which was in a recession.

**Mr Wettlaufer:** You didn't know how to count then, and you don't know how to count now.

**Mr Marchese:** Wettlaufer, my buddy from Kitchener Centre, says we didn't know how to run the economy then and we don't know how to run it now. They lead you to believe that they know how to run the economy. So I say to you, Ontarians, as you watch us, if you feel that Mr Wettlaufer from Kitchener Centre knows how to run the economy, then why does it feel so bad that the educational system is in shambles?

1720

**Mr Wettlaufer:** It's not.

**Mr Marchese:** Oh, it's not. I will get to that.

The health care system is crumbling. Our schools are certainly crumbling. They are certainly closing, if they're not crumbling. I will get to that in a moment.

Our environment is in shambles, of course. We had Walkerton. Nobody died when the NDP was in power. But Walkerton proved that, under this government, people actually die drinking the water.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Are they doing anything right?

**Mr Marchese:** I don't know. I'm asking Ontarians. In this great economy of ours, Mr Wettlaufer from London Centre is saying that they know how to manage the economy. I say to you: more homeless. Thousands and thousands of people are paying rents they cannot afford any more. No housing construction, even though these people said, "Elect us, because we know how to build and the private sector will build ad infinitum." Mr Leach, mon ami M. Leach, said, "When we're in power and we get rid of rent control, we're going to build social housing that is affordable to Ontarians." Do you remember that? M. Leach left, God bless his soul.

We have everything in shambles. We have fewer policemen and policewomen in the streets today than we did in 1994. In a recession we had more policemen and policewomen. You tell me, M. Wettlaufer from London Centre, how it is that you manage this great economy of ours. Billions of bucks in your pocket, and there is no

money to be seen. People are saying, "Where is the money?"

I know: the tax cuts. That's where it is. We, lucky recipients of the tax cuts, have very little to show for the money that they're giving back, because of all the things that I described to you—

**Mr Wettlaufer:** It's Kitchener Centre.

**Mr Marchese:** I did say Kitchener Centre—I said, if you feel this is a great economy and you're getting some tax money back and you feel good—no doubt about it—because, all you working Ontarians, boy, do you feel great getting a couple of hundred bucks back. I know the banker feels a lot better to get \$120,000 back, but the rest of you feel even better or just as good, because you're getting a couple of dollars back. Yet natural resources is in disarray, thousands of people laid off; Ministry of Labour, thousands of people laid off from that ministry. The Walkerton experience. Nobody died when the NDP was in power, and we had a recession.

What are you people doing with all this money? Where is it going? The people feel so bad. Then, lo and behold, the Management Board Chair said, "We're going to have to cut \$5 billion." Where is it going to come from except from education? While the Student Protection Act sounds good—and it is—by and large, there are so many other problems in the system that we need to take care of. The Student Protection Act is a good bill.

**Mr McMeekin:** You've got 54 minutes; you'll get to it.

**Mr Marchese:** I'll touch on it right now. Don't despair. The Student Protection Act obviously redefines or defines sexual abuse. It creates a comprehensive definition of sexual abuse that includes not only physical sexual abuse but also sexual harassment. It's a good thing.

The majority of people involved in the educational system support this. Every stakeholder that connects to the public educational system supports this, by and large: trustees' associations, principals' associations. They had some reservations in some areas because they feel the same protections that are applied to teachers should apply to principals. In the event that there is some problem of sexual abuse by a principal, they feel they should have the same rights. But by and large, all of the players support this definition of sexual abuse; support this bill, the Student Protection Act; support the removal of teachers when there has obviously been an act of abuse against young people that most of us find abhorrent, reprehensible, inexcusable, ugly, hurtful. We, as legislators, have to make sure that we listen to the people who put forth these recommendations that Judge Robins—and I'll get to that in a short second—helped to create for this government.

It imposes a duty upon school boards to remove a teacher from the classroom who's been charged with or convicted of a sexual offence involving minors. It's a good thing; no disagreement. The board will have to take steps to ensure that the teacher does not perform any duties that permit him or her to have contact with

students, and the duty to remove remains while a charge is in place—stuff, of course, how can you disagree with?

Reporting requirements: all employees or certified teachers working with students 18 years of age or younger would be required to report sexual abuse. That includes public schools, tutoring companies and other organizations. It also says it includes independent schools, and I will get to that in a moment.

This is the background connected to this particular issue. We feel good in supporting that. Judge Robins made many of the recommendations that this government has instituted on the basis of his review of events leading to the 1996 conviction of a Sault Ste Marie teacher for sexually assaulting 13 students over a 21-year period. You will recall that the member for Sault Ste Marie, Tony Martin, urged this government to call an inquiry in 1996. The government, after not listening for a long, long while, did agree to commission Justice Robins to study the case in 1999, three years later; better than nothing. It was good that after years of work by the member for Sault Ste Marie, Tony Martin, and Bud Wildman, the former member, the government finally commissioned Judge Robins to do that study. As a result of that, we have these measures before us in this bill.

What we New Democrats have opposed, in speaking to this bill earlier—not earlier today but in previous weeks, when this bill was before us—we said that once this government has made the unsavoury decision of funding private schools, they too would be made accountable, as is any other system that is in this province—the public and Catholic boards. The Catholic board and the public system are subject to this law, and even the teachers on the Toronto board and other places who do not have a teaching certificate but are given leave to teach by the minister are subject to this law. So we argued, if everyone in the public system who teaches is subject to this law, why would private schools not be subject to the same rules? Why would you protect some teachers in the private schools by not subjecting them to this law? It makes no sense.

It has never been answered by this government, by the minister. No one in committee, where we dealt with this issue, spoke to this issue. No one has been able to make us feel that when a teacher potentially, in a public system, could escape and go to a private system, because in that system they may not be protected by this law—because those who do not have a certificate are not subject to the law. There are 732 private schools in this province. There are thousands of teachers who are not qualified, meaning they do not have a teaching certificate. Those people are not covered by this law.

We've appealed to this government, saying, "You have had so much time to deal with these bills. Why would you not introduce a measure, as you talk about this bill, that would subject those teachers in the private system who do not have a certificate to this law?" Why wouldn't you do that? We don't get it. We don't understand it.

1730

None of the members present here speak to this issue. None of the members who were on that committee where we dealt with this matter have spoken to this issue. The minister runs away from talking about this issue because clearly she's sensitive to it. Recall that it wasn't she who introduced public funding for private schools. It was M. Flaherty who ran the education system by remote control and poor M<sup>me</sup> Ecker was subjected to that remote control and couldn't say anything. All she could do was defend the policy of M. Flaherty, the finance minister, because publicly you can't been seen to be disagreeing with a minister. It would be almost unparliamentary to do that. It would be unwise to do that because it would show divisions within the ranks. To be fair, all governments are subject to that problem, whether they're New Democratic or Liberal or Conservative. But this was a low blow. To have put in motion by a Minister of Finance a policy that so clearly is connected to the Minister of Finance without consulting that member is wrong. That's why Flaherty, the Minister of Finance, is a bit in trouble, because Mr Ernie Eves, who is coming back, has made the suggestion that if private schools are to get public dollars, they should be subject to the same rules.

I don't support public dollars for private schools, be they religious or non-denominational. I do not support them, never did and never will, because I believe that the majority of people are served by our public system in a very healthy way. M. Eves has come back and said that if he becomes the leader, private schools will be subject to the same curriculum as the rest. It's a problem. Teacher testing, of course, student testing, of course: subject to the same law. Why? Because they're getting taxpayers' money: remember, \$3,500 per student plus what comes from the federal and provincial governments by way of contributions that you make, charitable contributions that are tax-deductible, and daycare components that are deductible as well.

Ernie is a smart guy, he's a lawyer, not that all lawyers are smart, but he's fairly smart; he was here for 20 years. He's saying that something is wrong with the idea of giving taxpayers' dollars and not subjecting them to the same rules. I think he's a smart guy. I think he's able to put one and the other in the same kind of boat and say, "There's a link here." Ernie understands that.

Ernie is going to give Flaherty, the Minister of Finance, a hard time ideologically, at least on this issue. I'm not quite sure about other issues, but on this issue there's going to be a little ideological rift. It will cause some discomfort, which I relish. The discomfort, political viewers of this channel, should be of interest to you as well. I know that most of you who consider yourselves taxpayers are a bit uncomfortable about giving away your money to private schools. I know that you are. While you're not sending your e-mails and/or your messages by the thousands, we understand each other. We don't even need to communicate with each other, because I know what you're feeling, and what you're feeling is this: "My money is precious to me. I earn it because I work hard,

and to give my money away"—member for Oxford—"to wealthy individuals who choose to send them to private schools is a matter of choice for them, not my business. Don't take my money, that I worked hard to get, and give it away to people who've decided, on the basis of class and religion, to isolate themselves from the rest of us. Don't give my money, that I sweat for day in and day out"—

**Mr Dunlop:** You've never sweat a bit here.

**Mr Marchese:** I'm speaking for the taxpayer, because I know most of you don't think you work hard in this place. I know that.

Speaking for the taxpayers, who work very hard—because the finance minister constantly reminds us about how hard you work, taxpayers. He tells us all the time, "You work hard for your money. It's yours." That's why he's so happy to give it back to you.

Then I ask you, if he's so happy to give it back to you, why is he with the other hand taking it away by funding private schools? I know that instinctively, viscerally you say, "Marchese is right." It's wrong, and those of you who are Tories are going to have an opportunity to speak to it because there's a leadership debate going on. You can support Ernie Eves, or Flaherty, or Clement, or M<sup>me</sup> Witmer, or Stockwell on the basis of these mild ideological differences which for some of you is going to make a difference. For me it makes no difference whatsoever because, you see, they're all the same. They are all the same. Ernie is still going to send your money to the taxpayers, but he's going to make them more accountable. Ha. I hope you feel better. Ernie is not saying he's going to take the money back; Ernie is just saying to you, to make you feel good, "We're going to make the private school system a little more accountable, just like the public system."

But you're still stuck. They have stiffed you, because it's going to cost you big-time. It's going to cost you anywhere from \$500 million to \$700 million. So what's the difference between Ernie Eves and Flaherty? Not much. You're still going to have to pay. Your hard-earned money is going to be taken out of your pocket, ripped out of your pocket, to give away to those who decide that the public system is not good enough, that they don't want their children in our public system because they're just so different from the rest of us, because their wealth could be tainted by all those oh-so-poor people in the public system. They wouldn't want their upper-middle-class children to mingle with those poor kids, wherever those poor kids come from. They wouldn't want that. They have chosen to send their kids to a private school so that they wouldn't have to share the multicultural nature of this country, so that they wouldn't have to share the mix that our society brings—the mix of poverty and the mix of middle-class parents who are not so poor, working-class parents who are not so poor but work hard. This is the mix that we get in our system. It's a beautiful thing. That's what is so beautiful about our public system. The private system doesn't give you that economic mix or multicultural mix. Those private

schools set their own rules to do what they want. Of course, if you've got millions, you say, "I want to set the rules myself."

If I had millions and I was a Tory, I would say, "I want to set the rules for me because I've got the money. I want to choose a separate system for my kid because I've got the money, because I can." These Tories have decided, taxpayer, to take your money and give it away to people who don't need your money.

People in the private system are not subject to this law. These fine Tories, some of whom are friends of mine from time to time, shake their heads in disagreement. They don't share my views. I understand that. I understand that they don't share my views. That's why I share them with you. I share them with you because, I've got to tell you, you are from time to time my only friends. We don't have too many friends in this place. You are our only friends, and that's why we talk to you directly.

1740

*Interjection.*

**Mr Marchese:** Ontarians, those of you who are watching this political forum, you know what happens when we go to committees? In committee, in case you don't know, the Tories have the majority and the rest of us are in a minority position.

**Mr Dunlop:** Is that a new way of doing it? Haven't we always done it that way?

**Mr Marchese:** You're quite right. No, it's just that—

**Mr Gerretsen:** It's always been that way.

**Mr Marchese:** It has always been thus. You're quite right. But you people were going to be different. You guys were going to be different, eh, Norm? Weren't you? Norm Sterling from Lanark—Carleton has been here for a while and he was one of the members who was here at the time who said, "When we get elected, we'll appoint members on merit. We won't appoint them on party affiliation." Do you remember that?

Remember when you were on this side, Norm? You used to decry the fact that from time to time New Democrats would appoint someone who was a New Democrat to some committee or other and you guys said, I know, "We're not going to do that. We're going to appoint our members on the basis of merit." It just turned out that the majority of people, 99.999%, are Tories. Is it possible that all these Tories are appointed on the basis of merit? Is it possible? I say to you they're Tories and that's why you can't trust anything these people tell you. They'll tell you one thing and it's another.

In committee—and you're right, Mr Dunlop, member from Simcoe North. We were just in committee together and we had a good time. I don't want to abuse our friendship. In committee, what's troublesome to me—and I've got to tell you, I used to experience this when we were in government as well. I want to share that with you, member from Simcoe North, because we've got to change somehow. Right? We've got to change it a little bit.

I used to be in committee and I, from time to time, would say to our—"used to" because we were in

government, but no longer. When the Tories would introduce some friendly amendment or something like that, I would go to staff and say, "What's wrong with that?" Staff wouldn't say. They would just say we were opposed to it and so they expected our members to oppose it. So I said, "I'm going to support that amendment," and they would all scramble like mad thinking, "My God, he's going to freelance." They don't like it. Liberals did the same. New Democrats did the same. I'm hoping that from time to time we could change that. How frustrating it is—

*Interjection.*

**Mr Marchese:** I know you changed it. I know, but how frustrating it is when you're in committee all the time. You make suggestions, you make amendments and they're never accepted. It's so pitiful. It's so tiring. It's exhausting. So I moved a motion, for example; I moved an amendment here. It was introduced by the Children's Aid Society of Algoma and they argue this way: "In many instances children's aid societies are involved in the investigation of reports of sexual molestation or sexual exploitation of children, years before criminal charges are laid. Unfortunately, there are no provisions in the Education Act or the Child and Family Services Act which allow children's aid societies to report their findings to school boards...."

"Since these investigations are jointly conducted with CASs"—the children's aid societies—"and the role of the CASs is both enforcement and prevention, being informed of CASs' findings would help to resolve this problem. Inclusion of confirmed reports of child abuse by CASs in section 170(1) of the Education Act would significantly increase the educational system's ability to prevent or end child abuse. This section should also include protection for CASs when making these reports."

She goes on to add something else which is not as critical. But I thought it was a reasonable point. We made an amendment immediately there on the spot and we were saying, "I move that the bill be amended by adding the following section:

"0.1.3 The Education Act be amended by adding the following section:

"Reports by CAS

"57.1.1(1) A children's aid society shall report findings respecting abuse of a pupil by an employee of a board to the board.

"Same

"(2) Boards shall be duly diligent in monitoring and investigating reports received under subsection (1)."

I thought it was reasonable. I didn't introduce it for ideological purposes; I introduced it because we had two children's aid individuals who came before us and said, "We have experience in this field. We want to make this bill stronger and more effective." So I introduced that amendment on the basis that it would make the bill a little better, that it would give greater protection to students, to young people, men and women who potentially could be abused by individuals. We said the children's aid society has experience. Yes, they do

investigations long before they're found out in the school board, and they could and should be able to report their findings to the ministry, to boards of education, and they can't. So I introduced that motion. Of course it was very soundly and effectively defeated. It's tiring, because every now and then it would be so good for the members of this government to throw a little bone to the opposition, make them feel good, make them feel that from time to time whatever it is that they contribute has some value, that perhaps it might be a useful intervention, an intervention that may add something to the bill of a nature that you could agree with. But because we're so ideological in this place, we can't break down those barriers, ever. It happens over and over again and it exhausts me as an opposition member. It should even exhaust the government members to have to defeat over and over again any amendment proposed, by and large, by the opposition. It would be tiring. I was tired when I was there for a couple of years, seeing—

**Mr Dunlop:** On Friday we agreed to every amendment.

**Mr Marchese:** On Friday we went to Sioux Lookout. We had Liberal representation; we had Howard Hampton, our leader, from Rainy River; and three Conservative members. We worked together. While it is true that in this committee things are rather unconventional in the way we do things, it was because of the way we were able to do things that we got somewhere. I saw Raminde, from Bramalea-Gore-Malton-Springdale. He was good. He was so concerned about one individual or two who were in disagreement with the majority and he went and worked the floor beautifully. I really respected that; I did. He wanted to make sure that person was included in the compromise that we were attempting to come to in Sioux Lookout as we were trying to create a new hospital that removes the old hospital, governed by the federal government, a provincial hospital that's crumbling, and they wanted to bring the two together. There was discussion and disagreement about how all of these things happen. Some members worried about the fact that one of these hospitals may not be built on Canadian lands. It has nothing to do with the bill. The point is that Raminde Gill, from Bramalea-Gore-Malton-Springdale, was working the crowd in order to make certain that people who were in disagreement felt that somehow they were being heard. It's beautiful. We don't get that every day.

1750

But it wasn't just him. The other members were very supportive. Mr Dunlop and Mr Barrett were very supportive, and the Liberal members. We all worked together and we created no barriers. It was free-flowing. We permitted people to come to the table, back and forth, over and over, until we felt that, by and large, compromise was reached, the people were heard and as a community they would be happier at the end of the day because they felt the Chair and the members listened to them and strived hard to fix what they were all trying to fix.

In this committee, and every committee I've been a part of for the last many years under the rule of these despots here, we never—

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** What?

**Mr Marchese:** Was I a bit harsh?

Not once do you get this government saying, "We're listening. Oh, there's disagreement on the other side. Perhaps they might have something intelligent to say. Oh, there's an amendment in front of us. Perhaps we may want to consider the amendment because, as we did in Sioux Lookout, we realized there were differences."

**Hon Brad Clark (Minister of Transportation):** I did that with Brian's Law, Bill 68.

**Mr Marchese:** You people do that with nothing. That's the problem. You do that with nothing.

*Interjection.*

**Mr Marchese:** Hold on, now. Don't be so harsh, member from Kitchener Centre; don't be so hard on me. I'm trying to be fair. I was fair just a couple of minutes ago. We've got to start working together a little more to make sure that we get better bills in front of us. This ideology has got to wear a little bit. You've got to chip away at it a little bit.

That's why it's so good to have Ernie Eves come into this debate, because he's a man with a big heart. I'm looking forward to that big heart. I want to see how big it is. I hope he just lays his chest open so that I can see how big it is. I've got to tell you, Ernie said he's neither left nor right, he's a man with a big heart—fiscally conservative, of course, but he's got something here.

*Interjection.*

**Mr Marchese:** I didn't see it before, it is true. He was here before and I didn't see it.

**Mr McMeekin:** You didn't look hard enough.

**Mr Marchese:** Perhaps I wasn't as sharp as I should have been. I know that when he comes in this place, his heart is just going to gush right out and help all those homeless people. He's going to make the educational system oh, so much better. He's going to work with the teachers, unlike Flaherty. You know that Flaherty is dogmatic and ideological. You know that. Oh, but not Ernie. Ernie's got a big heart. I can't wait for him to come back. It is true I didn't see that heart before, but I know if he were here he would accept the amendments we made to the Student Protection Act. He would, because his heart is big.

We have so many problems on our hands. We have too many problems on our hands. We have so many educational issues to deal with. This is but one.

We were talking about swimming pools today. Do you think Minister Ecker listened to us when we raised the issue of swimming pools? No.

**Hon Mr Clark:** Did you fund them?

**Mr Marchese:** Ah, Minister, let me get to that. Minister Hodgson said, did we fund swimming pools? We didn't.

*Interjection:* That was Brad Clark, not Hodgson.

**Mr Marchese:** I beg your pardon, my friend. I beg your pardon.

We didn't fund swimming pools either, but all of you probably don't know—because the majority of you here today, all few of you, are not from Toronto, so you wouldn't know—that in the city of Toronto, the Toronto board of education funded swimming pools. Why? Because they had access to the property tax base. The minister said, "That's why we took that power away from you, because we didn't want you to do bad things in the system. We didn't want you to spend money where it wasn't necessary." So we're saying, hold on a moment. Swimming pools were, I think, important in Toronto. I know that in Durham you don't have any swimming pools, but in Toronto kiddies swim, men and women swim, old people swim, for a variety of different reasons. In Toronto we swim.

*Interjection.*

**Mr Marchese:** I know that in Durham you don't, but please, Minister, when you come to your position as minister and you take the power away from the Toronto board of education to be able to fund those pools, once you centralize funding, they don't have any money any more, they can't fund those pools. The minister says that's not true.

*Interjection.*

**Mr Marchese:** Yes, you did and you can fund them, you're just not wise in spending your money.

*Interjection.*

**Mr Marchese:** Hold on a moment. You don't give money for pools, so how can the Toronto board have money for pools if there is no money for pools? But the minister is not to be dissuaded from it. She says, "No, you just didn't spend your money right." Minister, nowhere in that budget line of yours does it say, "Here's some money for pools," because we took the power away from the board of education to be able to raise its money to continue paying for them. There's no line. So I say to the minister, I just hope that Ernie Eves, when he comes with his big heart, is going to say what Flaherty is not saying, "You're going to get money, Toronto, for those pools because we think they're important."

**Mr Michael Gravelle (Thunder Bay-Superior North):** On a point of order, Mr Speaker: I don't think we have a quorum.

**The Deputy Speaker:** Would the clerk please check for a quorum.

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Trinity-Spadina may continue.

**Mr Marchese:** I hope I didn't hurt—

**Mr Wettlaufer:** On a point of order, Mr Speaker: I'm just wondering if it's a point of order to mention that there were only two Liberals in the House—

**The Deputy Speaker:** Take your seat. The member for Trinity-Spadina may continue.

**Mr Marchese:** The member for Kitchener Centre ought to remember that the obligation is on the government to keep members here for a quorum.

So, with respect to those pools, they're on their own. Poor Mayor Mel. Mayor Mel said the other day that the Toronto board hasn't done enough to convince the government, to get more money, and I thought to myself, what should the Toronto board do that they haven't done? I'm sure they've prayed, and they're still praying. I'm sure they came begging, and they're still begging. They've fought and screamed against this government, pleaded in every which way. What more can they do?

Mel, help us. The board has been on its knees for years going to this government and saying, "Help us." Mel, they need you. Wherever you are, they need you. They need your help because you know you don't have the money to keep those pools open. You know that. If you take that burden on, you're stuck. Why? Because you're going to have to jack up the property taxes and you know your folks are not going to be happy about doing that. Mel, they need you. The income tax base is a better place to get money than the property tax base. Please, the Toronto board has done what it can, what it could, but it's simply not enough. They haven't been able to persuade this government. But Ernie Eves is coming.

*Interjection.*

**Mr Marchese:** Yes, the big heart. He's going to come back to this place and show us how big his heart is, and then the pools will be funded and young and old, men and women, will be able to swim in those pools in Toronto.

Speaker, is my time running out? We'll come back to it tomorrow.

**The Deputy Speaker:** The member's time has run out, only for this afternoon, though. You may continue when this bill is next called. It now being 6 of the clock, this House will stand adjourned until 6:45 this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

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Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 26 November 2001**

**Lundi 26 novembre 2001**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 26 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 26 novembre 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### RESPONSIBLE CHOICES FOR GROWTH AND FISCAL RESPONSIBILITY ACT (BUDGET MEASURES), 2001

#### LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILITÉ FINANCIÈRE (MESURES BUDGÉTAIRES)

Resuming the debate adjourned on November 21, 2001, on the motion for second reading of Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.

**The Acting Speaker (Mr Ted Arnott):** I recognize the member for Hamilton West, who had the floor when we were last dealing with this.

**Mr David Christopherson (Hamilton West):** Thank you very much, Mr Speaker. At the outset, let me thank you for taking the time from your House duty to assume the chair for me this evening so I may continue the lead-off speech for my caucus. I appreciate it.

I want to touch on one matter I forget to mention that relates to what I spoke to last time. I spoke to you at great length about Tommy Douglas the last time I spoke. One of the most important things that I think would resonate, particularly with the government members, in addition to all the other things I bragged about, because those of us in the NDP like to feel we have some priority connection with Tommy, is one of the things he did the whole 16 years he was Premier.

In addition to waiting until the very end of his term, about the 15th year, to introduce universal health care, to ensure that it could be afforded and that it would lay down strong roots and not be blown away, like a lot of the policies we brought in from 1990 to 1995 were when you rolled in—I mentioned it was a lesson we should have learned and didn't—he waited that long so that he had the groundwork done, the planning done, so the fiscal climate was such that it would take root and wouldn't, as I say, be blown away by any future right-wing government.

Getting to that point, I would like to bring to the attention of government members the fact that Tommy brought in a balanced budget every year.

*Interjections.*

**Mr Christopherson:** I hear some of the government members saying "federal government" and "the economic times." No question, you can never compare totally, 100%, apples to apples, when you're going through time. However, the point that I think is significant this evening is that, perhaps not you, but some of your colleagues like to suggest, "That's it. If you're an NDPer you have no interest in and no ability to deal with economics." Yet in addition to the first province in the modern economic era to balance its budget being an NDP province, the history of Tommy Douglas, of the first social democratic government in North America, the person who brought in universal health care, is that he did it in the context of balanced budgets every year.

I think that's significant. I think it says a lot about the history and the tradition of making economics an absolutely central part. Without trying to look at life through rose-coloured glasses, I think that had there been maybe different economic times, there might have been a little different outcome, notwithstanding that we made mistakes. It would have been nice to have had some piece of the 1985 to 1990 boom that happened, or the 1995 to 2000-01 that happened. Just a sliver, a little small percentage of some of that money you guys had rolling in would have been nice. Would it have changed the ultimate outcome? I don't know. But maybe it would have given us a chance to prove that the history of being good fiscal managers, as social democrats, is well earned. But that didn't happen so we'll never be sure.

I see my friend from Oxford furiously making notes, so perhaps in his two-minute response he'll be dealing with this and that will give me a chance to deal with it some more. However, onward.

The bill before us is Bill 127, a massive budget bill containing, by and large, benefits for corporations, but that's become pretty much standard fare with this government with everything they bring in. If you've already got a fair bit of money and if you're already fairly comfortable in this province, you can pretty much bet that any budget bill they introduce is going to be beneficial to you. If you've been, as my friend from Trinity-Spadina likes to say, whacked over the years by this government, you can bet there's a good chance that in a budget bill you're going to get whacked again. Indeed, that's the case.

First of all, just to get this out of the way, this budget also deals with the whole question of the \$100. It finds itself in part XIV and others, but primarily in part XIV of this bill, amendments to the Income Tax Act. Of course, what it's going to do is provide \$100 per qualifying dependant to individuals who are eligible, the eligibility being anything except those who are in the greatest need in Ontario. If you're a family that statistically is in the greatest need in Ontario, you won't qualify for this—meaning, if your family income is derived from the Ontario disability support program, you don't qualify; if your family is receiving social assistance, putting you in the ranks of the poorest of the poor, you don't qualify; and if you're one of the over 29,000 people who recently lost their jobs in the province of Ontario, you don't qualify.

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The government has used—and they may attempt to use it again in their two-minute responses—the argument that, “Well, there's already a clothing allowance for those on social assistance and this wasn't meant to replace that. This is for people who are modest- and middle-income who have been hit unexpectedly by the severity of the downturn in the economy and is meant to help them get through the cold winter and maybe provide a little light at Christmas.”

Fair enough, as far as it goes. But let me assure government members: if you are a single mom with kids at home and you're eligible for the winter clothing allowance, you already know all about the allowance and you've factored that in and built that into your—if I can use the term—family budget just as much as someone who is of modest or middle income has set their budget on income.

So that doesn't wash. To say that you've already got a program in place that deals with winter clothing doesn't cut it because that's not new. It's not like you say, “OK, to offset the fact that this group of the poorest of the poor children won't receive this \$100, we'll provide this other program and, hey, it's going to provide perhaps a little more.” No, no, no. That program was already in place, and dare I say it was in place when this government came into power because if it wasn't, I doubt very much that they'd be the ones to bring it in.

It doesn't cut it. What it's really all about is providing cover for the rest of this bill and to generate some headlines that aren't about “Corporate Tax Cuts Increased.” I have to say that, in large part, it worked. Certainly the leak—and I'm sure it didn't come from anyone officially, but I'm also sure it came unofficially from the government: the well-placed, well-timed leak; fair enough, it's part of the game—generated the headlines you were hoping and is talked about almost as often and as much as the other things that are in this bill; exactly what you were hoping. But I'm going to tell you it's our job here in the opposition, particularly in the NDP caucus, to call it and to bell the cat. That's what this is all about. This is not about helping families with young children during difficult times, although that will be one of the added

benefits, if you will; maybe one of the few benefits that's there for ordinary folk. It's all about providing cover for everything else that you're doing in here.

I have heard and probably will continue this evening to hear government members talk about, brag about what a wonderfully compassionate government this must be for doing that. It's interesting that in this same bill is the provision for up to \$300 million for tax credits for private schools.

Christina Blizzard, who is, by and large, fairly supportive of this government's agenda—certainly, on average, she's more supportive than not—has a column in the *Toronto Sun*. On November 21 of this year—and she and I will both be blown away by the fact that I'm quoting her, but there you are—Ms Blizzard says, in part, “The first thing that should go is the education tax credit, which will cost \$300 million when fully implemented. How can you credibly cut any other area of government spending when you're giving tax rebates to people who can afford to put their kids in private schools?”

I want to remind the government members that their Chair of Management Board in the last few days has said that it may be necessary to cut up to \$5 billion. It's interesting. I believe, and I'd like to be corrected by someone if I'm wrong, that one of the leadership candidates for the Tory caucus and ultimately the premiership of this province today said—in the name of Chris Stockwell, when he announced, the Minister of Labour—that he didn't think it was such a good idea to be doing tax cuts when it looks like you're going to run a deficit. But this bill is all about keeping the tax cuts, accelerating them from January 1 up to October 1. Somehow that's supposed to help ordinary people deal with the September 11 disaster and the further economic recession, quite frankly, that it has pushed us into. But there you are. There's one of the ministers of the crown finally being released from the shackles of the mantra, acknowledging that the notion of having tax cuts at a time when it looks like you're going to run a deficit makes no sense, especially when it looks like the way you're going to achieve the balanced budget is by cutting \$5 billion.

But back to Christina. She goes on to say, “The Tories cannot cut so much as a blackboard eraser in the public system so long as they're paying for children in private schools.” Pretty telling. It's going to be interesting to see where we are on this issue depending on who wins the leadership race. Certainly our old friend Ernie seems to have some different ideas from Mr Flaherty about how the government should move forward on that. Time will tell.

I'd like now to just make reference, because it provides me with a nice segue, actually, to a couple of issues that were raised by members of the government who spoke in the leadoff debate for the government.

One of the things that was said by the member from Parry Sound-Muskoka—and I wrote it down, so if it's not a direct quote from Hansard, I apologize, but I'm sure it's a very close paraphrase—was that one of things this budget's going to do is “put more money in pockets

during these difficult times." I thought that was an interesting thing to say, given that our leader and our caucus, the NDP caucus, had been promoting the idea that if you're going to have some kind of tax cut and if you want to really respond to what happened on September 11 and the recession we're heading into, why not take three months and have a holiday on the provincial sales tax? It twiggged me because the member talked about putting money in pockets. Let me tell you, there's not very much money going in very many individuals' pockets as a percentage of the population in this budget bill we're debating this evening, but there's a lot of money to be found in the pockets of consumers if you have a sales tax holiday.

They wouldn't do it. They wouldn't do it for a couple of reasons. One, they wouldn't even think about it because it was an economic idea that came from the NDP and that alone is enough to have it die of neglect as an idea. But I think also they are not prepared to do anything that diverts the billions of dollars that they have earmarked to go into corporate coffers, and this might have gotten in the way of that.

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It has been acknowledged that the only thing that has kept and is currently keeping the US and Canadian economies going is consumer spending. We see that the numbers are starting to come in now from what happened after September 11, where consumer spending just dried up totally. Without that spending there was nothing happening in the economy, because elsewhere in the economy people were pulling back, corporations were pulling back, investors were pulling back, everybody was pulling back. And why not? A lot of the capital wealth across North America had gone into the ditch with the stock market. I can't call it a crash, but it sure stumbled and fell badly.

What we offered was something that made some sense. If we want to keep people shopping and spending, to keep the economy going, to keep jobs in demand, then why not take action that's going to put the most amount of money in the greatest number of people's pockets? That sounds an awful lot to me like common sense, and certainly that's what the auto industry was doing with their 0% interest rate on loans to buy new cars. The finance minister said, "I don't want to do that because all it does is take sales from next year and pull them forward and then those sales that were going to happen in January, February and March will have already happened and they won't be there."

If it's such a bad idea, why did the auto industry make decisions to spend billions of dollars in lost profits to have people spending now? Why? Because the notion of sitting around and waiting while everything's going into the ditch and waiting for the new year to come and find yourself standing in January, February or March wishing and praying and hoping that people will go out and spend money made no sense. And do you know what? It worked: record numbers of auto sales in the last couple of months. It is going to cost them some jobs into the

new year. I'm assuming they've got other plans as to how they're going to offset that and that one step will be followed by the next step, and that they aren't just sitting down hoping and praying.

That's what you're doing. You haven't even taken the first step. You've got no step, nothing. Think about it: all that happened in the world and in the economy in September and October and into November, and the only thing you've done is increase corporate tax cuts that were supposed to take effect January 1 and move them up to October 1. Big deal. A big deal to those folks who are part of the formulas and calculations in this bill, but not a big deal to the vast majority of the population, who see nothing being done by their provincial government except, in order to preserve the almighty balanced budget, which is more important in their minds than anything—although again I remember, government members, that if you hadn't done the tax increases you would have had a balanced budget years before you did, if you hadn't given away billions of dollars in revenue, notwithstanding—I see the member for Simcoe North furiously writing.

I know you're going to stand up and give me this nonsense that tax cuts generated all the economic boom. What a load of hogwash. The tax cuts—

*Interjections.*

**The Acting Speaker:** Order.

**Mr Christopherson:** The tax cuts in Ontario had absolutely nothing to do with the decision that people made all across the United States of America to buy new cars, which was where the real demand was, which was why our auto industry was operating at full speed-plus, which was why there were jobs and why there was profit in this province. That's why it happened. Don't forget the authors of that brilliant line that you're about to stand up and spew very shortly are the same folks who said, "If we do the tax cuts and take the pain earlier on"—the last few years—"we will never be in recession. You just follow us and you won't have recession."

*Interjections.*

**The Acting Speaker:** I would ask the government members to come to order. The member for Hamilton West has the floor. The government members will have an opportunity to participate later on.

**Mr Christopherson:** Thank you, Speaker. My friend from Sudbury says they just can't handle the truth, and I guess that's got to be it. The fact of the matter is that if you had that much control over the economy, then why aren't we seeing your word being true, and that is, there wouldn't be a recession if we took all those tax measures. Those tax cuts were going to do everything: boom the economy, create jobs, make us all happy and prevent this province from slipping into recession. Well, guess what? We're in recession big time and we're losing jobs, thousands at a time, and this bill is not going to change that one bit, except that because you've got \$2 billion of expenditures in here—over \$2 billion—the \$5-billion nightmare scenario that your Chair of Management Board has raised could indeed happen. Now we are talking about something that's going to affect a lot of people.

There was a leaked document just the other day that suggested the government was looking at cutting by 40% the amount of money that they now budget for regulated child care and family resource programs. There was a huge outcry, led in this House by the NDP caucus. But people out in the community who deal with these programs, both recipients and workers who are involved in them, couldn't believe that there was even such an idea on government paper because of the absolute devastation. If you pulled 40% of the funding for child care—remember, they're the ones you're supposed to care so much about with your \$100, except you forgot to take care of the poorest kids in the province—40% of the funding for kids and families would devastate the ability of the remaining 60% to do what it's supposed to do.

So far, the Minister of Community and Social Services seems to have backpedalled, but I worry that if he's backpedalled on that front it's not because he's changed his mind about agreeing to cut money in his ministry, but rather he got caught out on that one and now he's looking elsewhere in other areas to go and find that money. When we think about the damage that a cut like that could do, I want everybody who's watching this and the government members to keep in mind that that 40% cut in funding represents \$200 million. That's a lot of money. But the total amount of money to be cut from this budget, as suggested by the budget chief for the government, is \$5 billion; \$200 million still leaves \$4.8 billion to come out.

I see it's upsetting some of the government members, because they just can't believe that anybody, especially in the third party, would have the temerity to challenge their brilliance when it comes to managing the economy of Ontario: "How dare they question how we run things?" It's like we pulled back the curtain and there's that little guy with the wheels and the levers and everything going on, and suddenly they got caught out, because you told us we wouldn't be in these times if you were followed. Well, you were followed, reluctantly, and here we are in recession, losing tens of thousands of jobs, and you're going to cut billions of dollars more in public spending. How the hell is that supposed to make a better Ontario? It makes a small number of people a lot richer and I'll bet they're a lot happier in Ontario. I can't imagine why they wouldn't be. But for the vast majority of people there's no win in this. For the government members, because it's the third party raising this, as I've said, it's got to be our not knowing what we're talking about.

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Let me just introduce one more opinion on this. On November 21 there was an editorial in the *Hamilton Spectator*, by and large, self-admittedly, supportive of the government's program—with exceptions. This is one of those exceptions and it's a rather crucial time in our history, Speaker, wouldn't you say? The headline of the editorial says, and I especially draw it to the attention of the member from Simcoe North who seems to be leading the chorus of outcries here this evening: "Tax Breaks Must Be Stalled as Well as Spending Hikes." I won't

read the whole thing, because I've only got 10 minutes left, but in part they say:

"If Finance Minister Jim Flaherty has his way, plans to reduce corporate taxes and offer a tax credit to parents whose children attend private schools will proceed regardless of the extra strain on next year's budget. Seemingly more concerned about offering tax breaks than safeguarding services, he's ordering every ministry to tighten its belt.

Further, "Why is the government adding to its fiscal woes with more tax cuts? The corporate tax breaks will cost \$2.2 billion a year when fully implemented by 2005, while the private school tax credit will ultimately drain revenues by at least another \$300 million a year. It would be prudent to postpone, if not scrap, both measures.

"Flaherty's concern about returning to a deficit should not be taken lightly, but the cure threatens to be worse than the disease. The Tories face a hard task in convincing people that health, education and the environment have not eroded under their watch. They can ill afford to risk further cutbacks in those areas while treating tax reductions as sacred. The government also needs to worry about the damage to a fragile economy entailed by a \$5-billion spending cut."

Mr McNulty, who is the author of this editorial, ends it by saying on behalf of the editorial board, "Is Flaherty using the economic downturn as an excuse to subject Ontario to a neo-conservative double whammy of program cuts and lower taxes? If so, the cabinet voices who don't share his agenda should draw a line in the sand before it's too late."

I want to say to the member from Simcoe North that if he's one of the members who responds—if my calculations are right, you'll get two two-minute responses—I want you to bear in mind that it's not just the NDP. You can't stand up and try your stereotyping answer this time around. It's not just us; there are a whole lot of people in this province.

As a matter of fact, in the *Globe and Mail* on November 22, we have Don Drummond, who is the chief economist of the Toronto-Dominion Bank, talking about the fact that any stimulus the federal government may inject could be negatively offset by the spending cuts you're proposing. As most of you should know, when you cut spending, while it's good for your bottom line, there is a drag on the economy, on the economic activity. There is a negative impact. That's why I believe the *Hamilton Spectator* editorial has talked about the double whammy of what it means to the government, to the coffers and the economy to see a double whammy of tax cuts, which affect services, and cutting spending, which not only cuts services but puts an economic drag on the economy.

Now we have the chief economist, Mr Drummond, from the Toronto Dominion Bank, and I'll read the quotes just to put them on the record: "... for any net stimulus overall from the government sector, because anything that happens at the federal level is going to be offset at the provincial level. You're seeing this play out right across the country. I'm not so sure it's a great time

to actively withdraw all that spending." The plot thickens.

I say to my friend from Simcoe North, it's no longer the way you want the world to be: the NDP all alone by itself, speaking in the darkness, and you over there with all the shining light and wisdom of the ages past to pronounce how things will be. No, it's not quite that way at all. In fact, it may indeed be turning to quite the opposite, where you're left all alone defending your hard-right ideological agenda in the face of experts and the common sense of most people. Politics, making for interesting bedfellows, also brings into this, to complicate it even further, that the Canadian Centre for Policy Alternatives has suggested that Ottawa introduce an \$11-billion stimulus package for this fiscal year. So far, the right, the left and the middle are saying you're wrong, and you're all alone.

Now, you have the one argument that Tories like best. And with a majority government, you get to exercise it. What's the thing they like best? Might makes right. You have the might to pass through this bill tonight, and every other measure that you want. You have the power and the might to implement the \$5 billion in tax cuts, but it is not going to be positive for this province and you are not enjoying the support of the entire economic spectrum when you do that. Indeed, quite the opposite. There is quite an alliance of people—dare I use that term?—who are rallying around the argument that your approach is absolutely dead wrong. It worked for your politics. I'm sure that the people who are cutting the cheques or nudging the treasurers of certain boards of directors to cut cheques to the leadership hopefuls are all very happy. But for the overwhelming number of working middle-class people, and certainly those that are in poverty, you're doing nothing except making it worse. It's hard to believe that things could get worse under these guys, but that's exactly where we are, given your continuing blinkered approach and the way the world has changed around you.

In the moments that I have left, I want to touch on at least one other item that's in the bill. By the way, just before I do that, one of the members also talked about—I thought this was important—the fact that small business, they said, is "more important than ever." The word they used was that small business is "vital" to the economy. I see some of the government members nodding their heads like the little doggy in the car, doing what they should do, yes, that's right. But there again, words, action. Those were words; what are the actions? Myself, the member for Hamilton Mountain, the member for Kitchener Centre and certainly the member for Sault Ste Marie have raised and tried to make an issue out of what's happening to the Grand and Toy owners, the franchise owners. I won't be putting you on the spot. But you did raise it, and I give you full marks for doing that. There was an opportunity, ministers here tonight, to do something about it. Does it involve retroactive legislation? How much legislation now could help this situation? I don't know. I'd want to hear from the lawyers

too. There may be very little, but I'll tell you, they should have had a lot more encouragement from this government, when the crunch was on for small business, to say, "Yes, we know that you're getting screwed here, and you're getting screwed by a big corporation that's winning. And, yes, we knew it could happen because we were warned by Mr Tony Martin and others during the hearings on the bill that's in place now that this could happen, but we're going to do what we can to fix it." None of that happened. The best the minister said was, "Well, if there are things that need to happen, we'll maybe take a look at it."

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Well, they are happening. These people are losing their jobs. They're losing their life savings. They are terrified. How would you like to have your business taken out from under you on January 1 in the kind of economy we've got right now? That's small business. Where were you? Where are you? Just words.

The last thing I want to raise, in the one minute and 35 seconds I have left, is that one of the members referred to it as repatriation of GO Transit. Somebody is getting well paid, and deservedly so. They went on to say, "It showed leadership to have that in here, that we were taking it over," and it was going to be a benefit—you should have heard them: it was a benefit to public transit; it was a benefit to the economy; it was a benefit to the environment. It was such a wonderful idea, you wonder why you did it in the first place.

How about just a little bit of humility, a little bit of mea culpa, a little bit of, "We screwed up. We heard from municipalities, we took another look at it and we decided we made a mistake"? No. No such utterance could come from this government because, frankly, I think they're just too collectively arrogant. The truth is, you did screw up big time on GO and a lot of the other things you're downloading on to municipalities. You've been told about it over and over.

There's a major series in the Hamilton Spectator about what they're finding in the restaurants. I know we went through this in Toronto. One of the reasons there haven't been the number of inspections in restaurants that there should have been in the past was because our council was trying to deal with all the downloading.

Why don't you admit that it's not just GO Transit? There's a whole host of issues you have downloaded and underfunded that is putting tremendous pressure on municipal government, and we know how close they are to the quality of life of all our citizens.

**The Acting Speaker:** Questions and comments?

**Mr Garfield Dunlop (Simcoe North):** It's always a pleasure to listen to my colleague from Hamilton West. I'll tell you, that was a lesson. We just got a real lesson tonight from the NDP. I think that's the most astounding argument I have ever heard put forth by any opposition party that I've seen here this evening. It's astounding. It's absolutely unbelievable, some of the things that came out of his mouth tonight.

"Tax cuts and cuts in spending put a drag on the economy." I know what he would rather have said. Let's listen to what they did. They increased taxes, they increased spending and they drove this province into the worst condition it's ever been in in the history of the province. There was an \$11.5-billion deficit in 1995.

How can you possibly stand over there and complain about someone like Minister Flaherty—who, by the way, would make an excellent Premier, as would any of the five. I know you don't want to hear that. The man's trying to balance the budget. He's trying to operate this province like a business. Is there anything wrong with that? We've seen how you operated it: a joke. You destroyed the province. And you stand here tonight and talk about his policies.

You know what you didn't say tonight? You never mentioned September 11 once.

**Mr Christopherson:** Yes, I did.

**Mr Dunlop:** You did not.

**Mr Christopherson:** I did.

**Mr Dunlop:** Well, Hansard will say that. I tried to listen to you for as long as I could possibly stand it and I didn't hear September 11. But you never had a September 11. You had a fairly decent economy and you still drove the province into the worst shape in its entire history. It'll be interesting to hear the other comments tonight, but I hope everyone in the province understands Minister Flaherty and why we support Bill 127.

Mr Speaker, I think you're doing an excellent job here tonight. I hope you can stay here for the rest of the evening because I think someone else might kick us out later on if that's the case.

**Mr Michael Gravelle (Thunder Bay-Superior North):** I'm very happy to comment on the member for Hamilton West's remarks. He certainly does speak passionately and with great vigour about a number of issues. It's difficult for you to deny, it seems to me, that he made some really important points. The fact is that this government's determination to forge ahead with tax cuts, and in particular right now the corporate tax cut agenda, is pretty astonishing. He told the truth. It's pretty astonishing in light of everything that's going on that there would be still this determination, when it's very clear that we're going through a recessionary period, that we may be in really great trouble.

What's interesting is that this bill was introduced just before the economic statement, and at that time we were talking about the potential of a \$1.5-billion or a \$2-billion deficit, and within 10 days or two weeks after that, suddenly the Management Board Chair, Mr Tsuibouchi, was talking about \$5 billion. Yet there has been no adjustment at all. All we've seen here on this side of the House—and may I say the Conservative members have seen it as well—is an extraordinary brutal cutback of the home care sector in our province, which is just devastating people all across the province. The fact is, as long as you're going to hang on to your tax cut agenda in terms of the corporate tax cuts, I guess you can't afford

to provide the home care that you need to provide. Those are the issues people care about.

I see the minister shaking his head, but the fact is, it's very hard to argue against the need for more home care support. It's very hard to argue against something that is actually saving—

*Interjection.*

**Mr Gravelle:** That's it, the lame duck Premier. That's right. Absolutely. Shaking his head. It's just so upsetting to all of us.

So I want to compliment the member for Hamilton West. He told the truth and he made the government members deal with it. They don't like to hear it. I know the member for Simcoe North was very upset about it, but the fact is you're not dealing with reality yourselves and you need to do that. You need to understand we want our home care support returned to where it should be.

**Mr Gilles Bisson (Timmins-James Bay):** I want to congratulate our critic on finance for what was a great speech, and I'll tell you why. I was just so pleased to see how agitated the member from Simcoe North was. I thought to myself, obviously our finance critic, Mr Christopherson, made some excellent points because on the government side of the House they were quite agitated. When they're agitated, that tells me you hit a button.

The member is perfectly right. It makes absolutely no sense for the government to go ahead with a corporate tax cut that's going to mean the province of Ontario is going to lose \$2.4 billion in revenue at the very time we're heading into this recession. It makes no sense.

Now the government is saying that because we're going into a recession and because we've got some problems with revenue, we're going to have to go in and cut program spending by 5% across all line ministries, including health care and education. I say to the member that our critic for finance, Mr Christopherson, is 100% right. He's bang on. It makes no sense. It is not responsible for government to move ahead with a corporate tax cut of \$2.4 billion to the wealthiest businesses in this province at the time we're going into a recession.

You know what is really warming my heart? It's not just the NDP that's saying this. We finally have members on the government bench who agree with us. The latest candidate for the Conservative leadership, Mr Stockwell, today agrees with us. Mr Stockwell is saying, to his credit, it makes no sense to give a reduction in taxes of \$2.4 billion to corporations at the time we're going into a recession. It's not prudent, it is not fiscally responsible and Mr David Christopherson is 100% right. We should be utilizing that money to make sure we can maintain services that are important to people, and if the economy turns around, and it will, at that point we start thinking about reduction of taxes, not before.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's really wonderful listening to these ideologues on the other side, and they're both socialists.

I was in private business. I was that small business person you people were talking about. I used to insure a lot of these small businesses on Main Street, in the malls,

and I heard what they said about your government. Let me tell you, they weren't your friends. You doggone near put them out of business. In fact, in many cases you did put them out of business. I lost 40% of my commercial clientele in the five years you guys were in government. In five years you destroyed 40% of my commercial clientele. And in the five years you guys were in government, I lost 20% of my commercial clientele. You didn't do a doggone thing for small business, so don't you come into the House and start talking about what you've done for small business. You didn't do anything for small business. You did everything you could to ruin it.

*Interjections.*

**The Acting Speaker:** Order. Opposition members, come to order. Kitchener Centre has the floor.

**Mr Wettlaufer:** Thank you, Speaker.

For them to then come along and talk about \$2.4 billion in tax cuts—you don't even have your figures right. It's \$2.2 billion, and it's over five years. It's not next year. Boy, you are out of it. And you guys talk about, "Oh, yeah, we need improved health care." Yes, we do. We need improved health care. Why the heck don't you go to your federal cousins, the Liberals in Ottawa, and ask them to increase their spending to what they were spending in Ontario in 1994? No, you don't have the intestinal fortitude to do that. You guys like to talk out of one side of your mouth and you do something else. That's the Liberal way. You want it both ways. Oh, it's wonderful for Liberals. They can be all things to all people. They can say one thing and do another—

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**The Acting Speaker:** The time is up. The member for Hamilton West has two minutes to reply.

**Mr Christopherson:** I think, based on the performance of the member for Kitchener Centre, that from now on we on this side of the House want what you had for dinner. We want to share.

Let me say to the honourable member that there are two ways to look at his business woes. One of them is the way he described them. The other way to look at it is that the only time your business was in serious trouble was when you were hands-on running it, and when it started to do OK was when you left the business and came here every day. So I think maybe it's you that's the problem, rather than the rest of the world.

Let me say to my friends from Timmins-James Bay and Thunder Bay-Superior North, who both talked about the damage that's going to be done by this, as the Spectator calls it, double whammy of doing the tax cuts at the same time you're going to do all these spending cuts, we're all trying to figure out when we get back the things that you took away from public service as it was. To think about what it's going to take now, with you digging even deeper—it boggles the mind to think of the kind of Ontario you're creating.

Let me say to the member for Simcoe North, first of all, I'm relying on your traditional personality and performance in this House to provide me with the opportunity to throw you out, as opposed to me suddenly

becoming very biased and unfair. But I would say to him that if he checks the Hansard, I think he will find that I did make reference to it. The reason I didn't emphasize it as much as you would like is for the very reason I think you raised it. I think you want to use September 11 as a scapegoat. You want to say, "September 11, something extraordinary, beyond our expectations, happened, and that's why we're here." That's not the case. The economy was already going into the ditch. That just made things a whole lot worse.

**The Acting Speaker:** Further debate?

**Mr Ernie Hardeman (Oxford):** I'm pleased to rise today in support of Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act. I want to assure you, Mr Speaker, that because of not having been to my medical practitioner in recent weeks and having my blood pressure checked, I will not be performing as some of the other presenters have this evening, at the risk of having to be carried out. It seems the debate is getting rather lively, and although it's very interesting, it's not much more productive than doing it in a quiet manner, to say the least.

Furthermore, the member opposite, in speaking to my colleague from Simcoe North—we all may get picked on if the time arises, so I will be very quiet and dignified in my presentation.

We all recognize the impacts and the effects of the events of the last few months, not only in Ontario and in Canada but indeed around the world. I think it's very important that we commend the Minister of Finance, the Honourable Jim Flaherty, for bringing in the economic statement to tell us where the finances and the economy of the province are at and what he deems the appropriate things to do in order to keep a strong economy and create jobs and generate enough money to fund all the infrastructure and the things that we need in our society, such as health care and education.

It is important now more than ever for the government to provide stability, to ensure confidence not only in consumers but in the businesses that provide the goods and services that we all want and need. The initiatives in this bill are an essential step forward in that goal. The most obvious, of course, is the acceleration of the promised corporate and personal income tax cuts. This will take tax reductions that were to be implemented on January 1, 2002, and implement them starting October 1, 2001.

Reducing the lowest personal income tax rate to 6.05% and the middle personal income tax rate to 9.15% means more money in consumers' pockets to spend as they see fit, which, Mr Speaker, you will know will help our economy. Cuts made to Ontario's personal income tax have already removed 325,000 lower-income earners from Ontario's income tax rolls since 1995. Nonetheless, we understand that an economic slowdown can be particularly hard on low- and middle-income working families with young children. The bill proposes to provide eligible families with \$100 for each child under the age of seven as a tax-free, one-time payment to help offset

costs, to help them do what they do best: care for their children. It's the responsible thing to do.

Also, reducing the general corporate income tax rate to 12.5%, the rate on income from manufacturing and processing, mining, logging, and farming and fishing to 11%, small business rates to 6%, and the surtax rate to 4.333%, along with the \$5-million deduction from paid-up capital for all corporations for capital tax purposes, means that Ontario businesses are in a better position in the downturn economy they are currently experiencing. That will put \$116 million primarily into the pockets of small and medium-sized businesses.

I know the Leader of the Opposition and in fact the opposition party in total think that we should cancel these promised tax cuts. I can presume from that, since they have voted against every tax reduction that we've had in the province since 1995, they would suggest that we should put all that back and increase taxes to where they would have been if none of those tax cuts had taken place. He says that he supports Ontario's working families and that these cuts would be detrimental to them, but I can assure the members opposite that the tax cuts have been beneficial to all the people of Ontario. Perhaps they could explain to the people of Ontario where they think working families earn their income. If businesses can't grow and hire more employees, or have to downsize or even close their doors because of the fiscal situation, how are these people supposed to work and support their families? We have just recently seen that happen in my community, where a plant closed, and it's devastating to those people who work there.

This government believes the best way to help working families is to ensure that they have a job. To do that, we must ensure that the business community in Ontario is vibrant and competitive. We must provide an environment that encourages new businesses to invest here and existing businesses to grow.

This bill also deals with some other areas that are necessary to encourage growth and prosperity in Ontario. Investment in infrastructure sustains our quality of life. It helps keep our economy stable and provides the basis for future economic growth. I'd like to address the strong commitment our government has made to the infrastructure in Ontario and to explain the important measures included in this bill that would go far in supporting these commitments.

Our government created the Ontario SuperBuild Corp to provide the kind of visionary, leading-edge thinking needed to meet the infrastructure challenges of the 21st century. SuperBuild's mandate is to plan for the province's long-term capital needs and to make strategic investments and developments.

In 1999's Blueprint, we told the people of Ontario as we went door to door that we were going to create just such a body. In fact, we said it would be a body that would generate and build \$20 billion worth of infrastructure over the term of the next government if we were to be given the opportunity to be that government, and we are moving along in that.

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As I said, the government has committed to a five-year investment of \$20 billion in infrastructure through the Ontario SuperBuild Corp, including \$10 billion of partner contributions. This is the biggest infrastructure building program in the history of Ontario. SuperBuild is investing in the essential infrastructure we use every day: transit systems, hospitals, colleges and universities, and water treatment facilities. By the end of this fiscal year, the government will have invested nearly \$9 billion through the SuperBuild Corp and committed further funding to municipal infrastructure. Through public and private sector partnerships, the total investment by the year-end will be over \$13 billion. This infrastructure is needed to create jobs and to maintain our prosperity and improve our quality of life. But the provincial government cannot do this alone. We are relying on partnerships that help produce the right infrastructure where and when we need it.

SuperBuild's projects help ensure that Ontario's infrastructure investment commitments will position the province for long-term economic success. Rebuilding and expanding the province's transportation system is one of the government's key capital investment priorities. Ontario's economy has grown so quickly in the past six years that highway congestion has become a problem, especially in large urban centres and on major trade routes. I'm sure, Mr Speaker, you and I travel the same stretch of the 401 coming here to Queen's Park. If you do not pick the exact right time to come, like somewhere in the middle of the night, it takes twice as long to get here as it would when you did take the middle of the night.

### *Interjection.*

**Mr Hardeman:** No, we don't get to travel through Hamilton. We take the other route; it's not quite as busy.

To keep the people and goods moving freely and to meet Ontario's Smart Growth objectives, the government committed to a balanced strategic approach to unlocking gridlock through our major SuperBuild investments over the next 10 years. This approach will include a balance of investments in both highway and transit. Last September, our government announced a bold 10-year, \$3.25-billion provincial transit investment plan. Partnerships with the federal government and municipalities will be encouraged to reach a \$9-billion total investment target.

The province's transit investment plan is made up of three key components.

First is providing up to \$1.5 billion over 10 years to support new computer rail, light rail and bus transitway expansion in the Golden Horseshoe and in Ontario's large cities. This commitment builds on the \$250-million Golden Horseshoe transit investment partnership initiative announced in the 2001 budget.

Second, we are committing approximately \$750 million over 10 years to support one third of municipal transit fleet replacement costs. The Minister of Transportation is consulting with municipalities to identify transit replacement funding needs and allocations.

Third is taking back provincial responsibility for GO Transit base capital funding and operations effective January 1, 2002. The GTA municipalities will be encouraged to reinvest their \$100 million per year savings back into their local and regional transit priorities.

If passed, the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, would legislate our commitment to run GO Transit so that come January 1, 2002, we would indeed be in a position to relieve municipalities of this financial responsibility.

We want to make good on our 2001 budget promise to address traffic gridlock and protect the environment through improvements in transit services. The bold new transit plan we announced in September of this year will keep Ontario's people moving quickly, safely and efficiently. By investing in transit, the Ontario government is helping people spend less time stuck in traffic and more time where it really counts: at home with their families. Now is the time to start putting this plan in place.

In addition to providing support to transit systems, the province has also committed \$10 billion over the next 10 years for highways to ensure the highway system will be able to serve a growing population and economy. A strong transit and transportation system is essential to improve the quality of life and ensure the economic competitiveness of Ontario's businesses. The province needs 21st-century infrastructure that can deliver 21st-century services—all services, but particularly services important to the people of Ontario, like health care. Since 1996-97, Ontario has invested \$2.2 billion to modernize and upgrade hospitals in 22 communities across the province, including \$1.4 billion in SuperBuild investments.

Together with the contribution of our partners, this multi-year investment will provide over \$3 billion in new hospital construction and renovation. Many of these projects are currently underway or will start in the near future, including Hotel-Dieu Grace Hospital in Windsor. We invested \$52.1 million to support the construction of a new wing, with an expanded emergency room and new diagnostic imaging department. This \$76.6-million project will be completed by late 2002. For the new state-of-the-art Grand River Regional Cancer Centre, SuperBuild provided \$36.7 million in capital funding toward the cost of \$52.5 million. Completion is expected in September 2002.

In the 2000 budget the government announced three major SuperBuild partnership initiatives designed to strengthen the economies and the quality of life in communities throughout Ontario. SuperBuild will invest \$1.9 billion toward improvements in municipal water and sewer systems, roads, bridges, sports, tourism and culture facilities and a variety of other important local projects, including the revitalization of the Toronto waterfront.

The following four strategic investments are recent examples of those initiatives that will enhance the quality of life and ensure the economic competitiveness of Ontario's businesses: a \$70-million provincial contribution toward a package of transportation and tourism investments in the city of Ottawa that will improve access

to business parks, promote local tourism and support the city's Smart Growth plans; \$32 million toward a \$96-million plan that will invest in priority projects to enable the city of London to take advantage of its strategic location on the Highway 401 trade corridor, such as widening Airport Road and the servicing of Skyway Industrial Park; \$13.4 million toward a \$214-million research and technology park located on the campus of the University of Waterloo to provide high-tech firms and research companies with space to grow; and \$6.6 million toward a \$20-million upgrade to the David Street water treatment plant, ensuring that 40,000 residents of Sudbury can count on clean, safe drinking water.

SuperBuild is currently investing at least \$240 million to help small-town and rural centres renew infrastructures and bring their water systems into compliance with the new drinking water standards. The province places a high priority on helping small towns and rural centres protect the health and safety of their residents through essential infrastructure programs. SuperBuild is working with partners what include the federal government, municipalities and private sector investors to ensure the people of Ontario have safe and modern public infrastructure in their communities.

This is only the first round. More funding will be provided to ensure that the municipal drinking water systems comply with the new drinking water protection regulations established last year.

In closing, SuperBuild's investments have helped to renew municipal infrastructure across Ontario. During the coming weeks, the government will be making a series of announcements throughout the province as part of its commitment to fast-track project funding commitments. Announcements of hundreds of SuperBuild projects are being made now, and others will soon be made.

In the coming months, SuperBuild's investment in hospitals, highways, universities, colleges, water treatment plants and other municipal projects will stimulate local economies and provide construction jobs in every area of the province. Furthermore, SuperBuild's publicly funded strategic investments, along with private sector partnerships, will help build Ontario's future together, increasing both the province's quality of life and economic competitiveness.

Right now, we can take a giant step toward fulfilling our commitment to Ontario's transportation needs by supporting the Responsible Choices for Growth and Fiscal Responsibility Act, 2001. The Responsible Choices for Growth and Responsibility Act, 2001, would benefit a broad range of taxpayers of all income levels, all business sectors and all regions of this province.

Other measures proposed in the bill include encouraging the restoration and preservation of heritage buildings by providing property tax relief to owners of heritage properties; providing venture capital for small business by extending the deadline for registration of new community small business investment funds to December 31, 2002; reducing red tape for Ontario's small businesses by allowing businesses with corporate

tax payable of at least \$2,000 and less than \$10,000 to remit their tax instalments quarterly instead of monthly; restoring support for research and development by suspending the R&D super allowance and allowing corporations to exclude from Ontario taxable income the portion of the federal investment tax credit that relates to the Ontario R&D expenditures.

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This government will not surrender the hard-won gains that have restored Ontario to prosperity. This bill will help ensure Ontario remains well-positioned to withstand economic challenges. We intend to stick to the key principles that have guided our economic and fiscal policy since 1995, including a commitment to economic growth to create jobs, fiscal responsibility, making responsible choices, and planning for the future. We intend to stay the course. I thank you very much for allowing me these few moments to speak to the bill.

**The Deputy Speaker (Mr David Christopherson):** It is now time for questions and comments.

**Mr Dominic Agostino (Hamilton East):** What I find interesting about this debate that's happening tonight is that, first of all, I'm a little confused. I'm trying to understand if we're to believe the current finance minister, as he tells us what the state of the economy is in Ontario in the future, or if we're to believe the Chair of Management Board. It's interesting. When we debate this, I'm not sure what credibility we have to give to the numbers of that party.

It's amazing to see this great, once-proud party totally implode and tear itself apart in a leadership race. You have the current Minister of Finance, who a couple of months ago blindsided the Minister of Education, who then was a candidate, with the tax credit. Then you have Ernie Eves announcing, the former minister. Then the current finance minister, who was yet to announce, called Mr Eves a free-spending career politician and then the next day said he was sorry. Then you have Mr Flaherty announcing. He starts sprinting to the middle to try to beat Witmer and Eves to that middle ground, and he talks about a social conscience, which I guess this party has missed the last five years. Then a couple of days later the Chair of Management Board, who is backing Mr Eves, blindsides the current finance minister by talking about a \$5-billion debt.

It gets better. You have the Minister of the Environment announcing, trying to get all warm and fuzzy and make it up with teachers, nurses and all these people they've bashed the last six years. She says she doesn't agree with all the decisions, but she's not quite sure which of the decisions she doesn't agree with. She thinks maybe they've done some things wrong and she's not sure which ones they are. Then you have, today, the Minister of Labour announcing, who says, "Well, maybe we don't need the tax cuts. Maybe we've seen the light and tax cuts in the future are not a good idea, would run up a deficit."

I look at all this and I don't know what to believe anymore. You've got five or six positions within this caucus,

you've got cabinet ministers fighting with each other, you've got a party in disarray, you've got an economy that's hurting in this province, and all the Tories are doing is trying to out-muscle, out-manoeuvre each other for this upcoming leadership. The Premier's resignation has thrown this party into chaos and, frankly, in a year and half we're going to take care of that problem no matter who wins that race across the floor.

**Mr Bisson:** I listened intently to my friend Mr Harde-man, the former Minister of Agriculture—I forget his title. He talked about the Tories being fiscally responsible and laid out a great agenda of how responsible they are. I've got to say to myself that I think they need to get back to school and understand what the word "responsible" is. I just want to use one example in the two minutes I have.

The government says—the parliamentary assistant—that it is responsible and it listed in the assembly tonight GO Transit as one of the examples. I remember what happened with GO Transit. It used to be a provincially controlled service that provided transportation services to the people in the greater Toronto area. It was a service that was funded by the province and was run by the province.

The government said in 1996 that it was going to download those services on to the municipalities, so they transferred, they downloaded GO service to the municipalities and basically kicked all the financial responsibilities downwards. At the end what happened was exactly what we in the NDP said: they can't do it on their own and the province itself has to run it. The service has basically been in disarray since it was transferred. They're not able to do the kinds of investments they need to do to provide transportation to the people in the area. So now we're having to upload the service back on to the province. It seems to me that the government goofed when they downloaded it. It wasn't able to do it properly when it got it there and, finally, they're having to go in and take that back. So I say to myself, how responsible are you when it comes to that?

The same thing when it comes to downloading the highways. You've downloaded highways in this province to municipalities, and those highways are no longer maintained to the standard that they need to be to remain the type of infrastructure this province needs to do business.

**Mr Bert Johnson (Perth-Middlesex):** Higher standards.

**Mr Bisson:** I only say a much lower standard. In my constituency I drive more in a week than you guys drive in a year. I can tell you that there is no way in heck that the highways are maintained to the standard to which they were before. They are not. We are having highways closed now because of road conditions, something that we've never seen before. So you're certainly not very responsible when it comes to providing services.

**Mr James J. Bradley (St Catharines):** I did notice that the member forgot to mention that the community care access centres are under great financial stress at this time. I know that in my area the kind of service they were

able to provide just a few months ago is not available today. When some of the people who work for the community care access centre in our area and other areas of the province began to reveal that to the local news media, all of a sudden the government brought in a bill to, in effect, close them down; that is, to mute the criticism by intimidating the people who have been volunteers with community care access centres. So that's one problem that seniors face in our area.

The member also did not mention in his speech the need for increased funding for nursing homes and seniors' homes. I think of one which has served us in our community so very well over the years, called Linhaven. Linhaven has had a residents' council, which is a council that advocates on behalf of the residents who are there. What they're finding is that it's increasingly difficult for the home to provide the kind of services that were once available. I feel bad for seniors, who have given so much to our community, who now find themselves in a very difficult situation. The services aren't there that were once there, and that makes me extremely sad. It's certainly something we need.

Last, I want to touch on the fact that the member was extolling the virtues of the Common Sense Revolution. What he doesn't mention, and I haven't heard anybody on the government side mention, is that by borrowing money for the tax cut, from 1995 to 1999, they ran the province into a debt of some \$22 billion in addition to what it was before they came in.

**The Deputy Speaker:** The member for Simcoe North.

**Mr Dunlop:** Thank you very much, Mr Speaker. It's good to see you back in the chair.

**The Deputy Speaker:** Now you want to be friends.

**Mr Dunlop:** Yes. I want to congratulate my colleague from Oxford for his comments here this evening on Bill 127. I particularly thought it was important that the parliamentary assistant to the Minister of Finance spoke on our SuperBuild investments in the province. I know that a number of municipalities have already seen the benefits of that. I think the investment to date is \$9 billion in the SuperBuild program.

I also congratulate the minister and the staff at the ministries for allowing our colleagues in Ottawa to become involved in some of the SuperBuild projects with the Canada-Ontario infrastructure program. I think those are important things for the province to be involved in, with municipalities and with the federal government.

We don't always get along with the feds. We know that. We know how they're shortchanging all the provinces in Canada on health care. That's a known fact. The fact of the matter is, though, this is a good opportunity. I congratulate Brian Tobin and Minister Flaherty for getting together on this very interesting project and seeing these sewer and water projects completed across our province. Hopefully we can get them involved in some of the recreational projects as well. These are important to the municipalities in our province. It shows a real partnership when you have federal, provincial and municipal governments all involved in programs. There

is only one taxpayer, so we have to do the best we can with those dollars.

Again, I want to congratulate the member, and I look forward to making some comments later on.

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**The Deputy Speaker:** The member for Oxford now has up to two minutes to respond.

**Mr Hardeman:** I want to thank the members from Hamilton East, Timmins-James Bay, St Catharines and my colleague from Simcoe North for their comments, and thank you to the member from Simcoe North for his compliments on making the presentation.

Going through the other three members, I would just point out to the member from Hamilton East that I thought these were comments and questions to the presentation. I noticed that he didn't speak to the presentation at all, so there's really not much help in that.

I want to speak to the member from Timmins-James Bay, who spoke of GO Transit. I had the opportunity to work with municipalities during the time that the transfer was originally made and I just wanted to point out to the member that in the discussions of the realignment of services between provincial and municipal governments, the one thing everyone agreed on at the start of the debate was that transportation issues were better left at the local level, and that's where the program went. A number of highways were transferred to local responsibility and GO Transit was put at the local responsibility, in return for the education tax that was being charged on properties through the municipality to help pay for education. That was moved to the upper tier.

To the member from St Catharines, I just want to say I appreciate the comments about the community care access centre and the nursing home and the needs that arise there and the monies that are needed to fund those services. I can assure the member that we recognize as a government that the only way we can provide those services in our community is by having a strong economy, having people working, by generating money that will pay for those essential services in our community. That's why the proposals and recommendations in the document are that way, to build that strong economy, to make sure we can provide those services that particularly our elderly people have a right to expect from us.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Dave Levac (Brant):** I appreciate the opportunity and I shall be sharing my time with the member from Kingston and the Islands.

I want to point out to the people who are listening and watching, and to the members on that side, that we're talking about Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government. Inside that, I would respectfully suggest we are going to take a look at some of the issues outside the budget and even inside the budget that deserve some questions, some analysis and maybe some questions by the public of the government about what they're trying to do.

I will show somewhere down the line that I think delay tactics are now starting to happen in order to get us to the spring and get us over this leadership stuff that's going on, and possibly the hope that, "People will still see September 11 as the only and singular reason we had to do what we've done," while nothing could be further from the truth when we start to talk about the economy that was starting to slide down before September 11. I want to go through some of the issues in the bill and make sure the public is aware of the types of changes that are being proposed by this government.

Let's take a look at part I, the Assessment Act. In the Assessment Act we're going to start taking a look at some changes; and in part II, the Business Corporations Act is going to be changed. The Commodity Futures Act is going to be changed. The Community Small Business Investment Funds Act is going to be changed. The Corporations Tax Act is going to be changed. The Education Act, again, is going to be changed. The Electricity Act is going to be changed again. The Employer Health Tax Act, again, is going to be changed. The Estate Administration Tax Act is going to be changed. The Fuel Tax Act is going to be changed. The Gasoline Tax Act is going to be changed. The GO Transit Act, 2001, and the Greater Toronto Services Board Act are going to be changed. The Highway 407 East Completion Act is going to be changed. The Income Tax Act is going to be changed. The Land Transfer Tax Act is going to be changed. The Mining Tax Act is going to be changed. The Municipal Act is going to be changed. The Municipal Property Assessment Corporation Act is going to be changed. The Ontario Guaranteed Annual Income Act is going to be changed. The Ontario Northland Transportation Commission Act is going to be changed. The Provincial Land Tax Act is going to be changed. The Race Tracks Tax Act is going to be changed—I make a point to you now that I will be coming back to that one specifically, so we can show people who think that casinos are gone that they're coming back to haunt us. The Retail Sales Tax Act is going to be changed. The Securities Act is going to be changed. And the Tobacco Tax Act is going to be changed.

Why did I go through that? Because as much as I would like to say that all of it was positive, there are pieces in that 180-page bill that we had to go through and make out where are they going to be making the changes that are actually going to benefit the people of the province of Ontario, those hardworking families out there who have come to rely on governments to do the right thing—not the political thing, the right thing.

Let me talk about this: the right thing. What we now have is a \$22-billion debt. We have a \$22-billion debt from 1995 to 1999; \$10 billion was actually borrowed to make sure that that debt was added on to. This government stands up to say, "We've done this, and this is fiscal responsibility." We now have a \$22-billion increase in our debt by this government. That translates into a very simple form: \$800 million a year to service that debt. A \$2.2-billion corporate tax cut over five years by this

government is going to solve that problem? Up to \$500 million is going to go to private schools. I tell you, it's very simple to say that there are other choices to be made and they should have been made for the hardworking families of Ontario.

Let's take a look at this omnibus bill that's before us. The bill continues a longstanding Tory trend whereby measures that formerly required statutory amendments can now be altered by regulation with absolutely no scrutiny by the public. They've gone to that little trick they've used since 1995: "Let's make it a regulatory change." This centralizes power into the hands of a minister and removes key regulatory changes from direct legislative oversight.

One of the examples I might give you is the Education Act. I want to read the single sentence in this bill that changes the Education Act. Alarm bells went off immediately because it gets through this little trick that they put on by saying, "We'll never raise taxes without a referendum." Here's the sentence. It's under the heading of Part VI, Education Act, section 65:

"Retroactivity

"(1.2) A regulation made under this section is, if it so provides, effective with reference to a period before it is filed."

What a convoluted way of saying, "We're going to leapfrog over our tax rules. We're going to be able to go backwards in time and start applying the education tax and collect from municipalities money that's already been earmarked in their municipalities to try to protect their citizens." Now they can go backwards in time and pick up that money and say very clearly, "You owe us some more money from taxes that you previously paid."

If you really read this, it says it very clearly. That's retroactivity. They're going to leapfrog over their own tax rules, which they trumpeted as being the most fiscally responsible around. They're going to say, "You can't raise taxes in this province." So what did they do? They found a way to get over it by simply saying, "We're going to apply retroactivity. We're going to be able to go backwards in time and collect taxes from municipalities (a) that have already been collected so (b) we can get some more money out of the municipalities."

The problem is that this government has downloaded that massive problem they've had across our province with our municipalities, which have fiscal responsibilities themselves; now they're in fiscal debt. They're talking about the possibility of having to raise taxes at the municipal level to make up for the shortfall of them downloading that problem. By the way, that's their favourite hymn from the hymnal: "It's the federal government's downloading problem that we've got." They've just passed it on to the municipalities. So now what they're going to do is even worse than what the federal government could have possibly done. What they're saying now is, "Not only are we downloading to you but we're going to pick the piggybank clean backwards; we're going to go back in time."

This is in the Education Act. So I want those directors of education out there and those business administrators to go over that sentence—over and over again—and ask themselves, how are they going to take that? They're going to get that money out of the municipalities, they're going to get that money out of that simply by saying, "We're going to leapfrog over our tax increase. So no, we're not going to increase taxes, we're simply going to go back to the future, go back in time and form a retroactive bill." That's exactly what they did with this sentence.

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I'll read it one more to make sure that those legalese people out there can understand exactly what they're saying. Retroactivity: "A regulation made under this section is, if it so provides, effective with reference to a period before it is filed." Unbelievable. First of all, it took me a while to figure out what the heck it was and then when I started asking some questions about it, it basically said it allows them to go backwards in time and add retroactivity to these taxes. They're going to collect taxes on monies that have already been paid for our education and take the money out of their pockets a second time. I am absolutely appalled at this and I am very frustrated with the fact that no one has been able to pick up on that to the strongest point.

I would suggest to the people out there, the education community out there, the parents who have lobbied so hard and strong and have been watching for their children who are not getting textbooks, who are getting less special education help, what you need to do is go out there, get on the horse again—I know it's frustrating—and say, "You can't do this to our municipalities, you can't do this to our education system and, for Pete's sake, you can't do this to our children." Don't go backwards in time and take more money out of the pot when you've already downloaded that responsibility to the municipalities.

I know I've got way more notes and I could go through a lot more, but I'm going to make sure that the member for Kingston and the Islands has plenty of time because I know he's going to springboard from what I've laid down as a foundation and he's going to go crazy on these guys. I know the member. He's pumped and primed and he's ready to rock and roll, so I'll give my time to the member.

**The Deputy Speaker:** Everybody fasten their seatbelts and we'll call the member for Kingston and the Islands.

**Mr John Gerretsen (Kingston and the Islands):** Yes, I do get passionate from time to time, as we all do in this House, but I think the people of Ontario understand that the fundamental difference of opinion about how to deal with government finances is the fact that the government really and truly believes that it's better for the people of Ontario to give them a \$2.2-billion corporate tax cut than to actually save some of that money and start putting it into some much-needed services for this province. One of those services is in community care

access centres and long-term care. I want to spend just a few minutes on that, because over the past three months we, in our family, have had a very close involvement with both of these institutions.

First of all, in the area of long-term care, I know the government will say that they have promised X number of new beds and new facilities for the people of this province. We all know that there really haven't been any long-term-care beds added to the supply in the province for the last four to five years, until the more recent announcement. But the fact of the matter is that if you're actually involved in looking for a long-term-care bed for an individual in this province on a day-to-day basis for somebody who, for whatever reason, can no longer stay at home, you have no idea of the difficulties that people have in doing that.

Let me give you just one example. In Kingston, we have a hospital, the Kingston General Hospital, which is closely associated with Queen's University, which is one of the five medical science complexes in the province of Ontario. If I were to tell you that in that hospital there are two floors set aside for long-term-care beds, you would say that's happening in a lot of our communities and maybe it's even good use of some of the hospital beds that were closed down, so that we're at least putting them up for long-term-care and making some use of it. But what I didn't realize until our recent involvement in the process is that some of the people who are waiting for long-term care beds in my part of Ontario—and it's my understanding the same thing applies throughout the province—wait for as long as two years. Two years.

I think that in a modern society in which we are so well endowed in so many different ways, as we are in this province, surely this is totally, totally unacceptable. That there are people in this province waiting that long, who need the beds now—not people who are living in their own homes, but people who are actually in hospitals and have been downsized from an acute care situation to a long-term-care situation—that they actually wait for two years in order to get into a long-term-care bed in an institution in that capacity, I find totally, totally unacceptable and I think most people in Ontario would feel exactly the same.

So I say to the government, why don't you put some money into that? Why don't you expand the beds? Quite frankly, I personally don't care whether they're in the public or the private sector. A good argument can be made that they should be in the public sector. But, you know, the beds just aren't there in any sector whatsoever in many parts of Ontario.

The other issue, of course, is the community care access centres. You talk about all the cynical moves that a government can possibly get involved in. All the community care access centres across the province basically want is the same level of funding that the province actually gave them last year. That's all they want. They don't want more money; they want the same level that they were given last year—not what they budgeted for last year and then were topped up, but what they were

actually given last year. There's a shortfall of \$187 million.

We know that community care access centres across the province have all cried out on behalf of their patients, on behalf of their clients, on behalf of their sick and elderly who need services on a day-to-day basis. We've all met these people; we've all heard from them in our constituency offices. Rather than dealing with that problem, rather than saying, "Yes, we want to live up to the commitment that we gave to the people of Ontario when we said five years ago, 'We're going to have hospital restructuring, we're going to close beds, but we are going to make sure that if people are released from hospitals quicker and sicker, the services are there for those people in their own homes,'" what has happened of course is that it hasn't happened. There isn't enough money in that system to take care of the people who need the help.

To be quite blunt about it, many of these elderly people do not have people speaking up on their behalves. Yes, they may call their local MPP, but they certainly don't have that family member who can keep pushing the system in order to get those services. I feel very, very sorry for those individuals. And \$187 million could have solved that problem. That is just a drop in the bucket when you compare it to the \$2.2 billion in corporate tax cuts that in effect are being given out.

What does the government do to deal with that situation? They do the most cynical thing, in my opinion, that one could possibly do. They're basically saying to the community boards, "You're no longer relevant. You're the guys who got us into this situation and we are now going to appoint our own boards through orders in council." Quite frankly, I would hazard to guess that in most communities you are probably going to get maybe not exactly the same people, but people who are just as dedicated to working in that area, except that these people are now going to be beholden to the government of the day for having appointed them in the first place. It really doesn't deal with the problem. It doesn't deal with the problem one iota. But I don't know what they're trying to do, whether they're trying to make the people of Ontario somehow believe that if we just get rid of the community boards, which function in most communities quite well, and put in our own government-appointed boards—that's not going to change anything. The resources are still lacking.

So I say to the government, I don't know what your game plan is, but to my way of thinking, just to change the board and who appoints these people in the hopes of you getting greater control over the situation because you're appointing the individuals—you are not going to deal with the real issue, and that is making sure the services are there for the people who need them. That, after all, is the bottom line: to get the services to those individuals that we have released from hospitals quicker and sicker and to make sure that they have the necessary services there for them—the nursing services, the home

care services, whatever they need—and we've all heard that.

But to add something on top of that, we not only have the government insisting that they have to have this \$2.2-billion tax cut that one of the leadership candidates for the Premiership right now is already denouncing as being a ridiculous thing, especially since we're in a recessionary mode—and by the way, the Conference Board of Canada today said, "Look, this recession started six months ago." It didn't start on September 11; they said it started in March of this year. It was already going down, to a certain extent. To add insult to injury, what they've done is they've speeded up the tax cuts.

## 2020

What's really interesting about that is that the personal income tax cut that was supposed to come in on January 1, that now has been pushed forward to October 1—people aren't actually going to get that until some time in the new year because the payment systems haven't been set up, particularly within large corporations, to do that. So I have absolutely no idea how that is going to help the economy today. By in effect bringing that tax cut forward, all you're doing is losing more revenue for the much-needed services in health care and in education.

Finally, I would just implore the government: we've heard about your SuperBuild fund, and everybody knows that all you've really done is put together the capital budgets of all the ministries into one fund. Ironically, the ministers no longer control that fund. I can remember in estimates questioning the Minister of the Environment on that and she openly admitted that she has little or no say as to how the capital money in her budget is going to be allocated. She can make a recommendation to the SuperBuild fund, but ultimately it's SuperBuild that is going to decide how and when that money is going to flow. It's a pretty sad commentary that the ministers of the crown, whom everybody believes are ultimately responsible for the ministerial budgets, are in effect no longer responsible or have any direct say over the capital portions of their budgets. She openly admitted that. That's a very sad state of affairs.

What I would simply say is that you've got over a billion dollars set aside for infrastructure programs that municipalities are going to get involved in and that the federal government is going to get involved in, and it's my understanding that right now only about \$14 million of that has been spent. What we have suggested throughout is, why don't you take \$100 million of that fund and put it in the Ontario infrastructure program or in the Ontario security fund so that we can make communities more secure? Reallocate some of that money that has already been announced into the security area.

It's for those reasons and many others that we on this side of the House simply cannot support Bill 127. We in effect think this is something that will not work for the people of Ontario, and that's really who this is all about.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Bisson:** I have two points. I guess I'll start with the SuperBuild fund. The member mentioned the SuperBuild fund. There has never been a boondoggle to come through the Legislature as big as the SuperBuild fund. The government is trying to make out with fanfare that they've got this great big pot of money that they're going to use to the benefit of municipalities out there when it comes to infrastructure. It's really a sleight of hand. What the government did back in 1995, 1996 and 1997 was they took the capital dollars from all the ministries, basically collapsed them, stopped paying capital altogether and reduced by about half the total amount of capital dollars that the provincial government used to give to municipalities and others by way of various ministries and put half the money into a fund they call SuperBuild. That's the first part of the boondoggle. We actually have less than half the amount of money available now than we did before, because the government cut infrastructure dollars and created the SuperBuild fund with half of the infrastructure money they had left.

What's even more of a boondoggle: how many projects have we seen announced by way of SuperBuild in the last couple of years? I know municipalities and organizations in northern Ontario that have been biting at the bit, trying to find out when their particular project is going to have a chance of getting funded, and nobody at SuperBuild or the government seems to know what's going on. You've got projects for the city of Timmins, for Hearst, for Attawapiskat, you name it, communities across northeastern and northern and all of Ontario trying to get funding, and there's been this huge boondoggle within the ministry that is responsible for SuperBuild by way of really not knowing what they're going to announce.

So I say to the member who just spoke that I agree with him. The whole concept of SuperBuild, if properly done, should be done this way. This is what I would suggest as a New Democrat: go back to the federal-provincial-municipal infrastructure program, utilize your capital dollars and say that if a municipality wants to be able to get something out the door, "Put up your third; we, the province, will put up a third and the feds will come to the table and put up a third," and everybody will be a lot better off at the end, when it comes to funding their projects.

**Mr Bob Wood (London West):** I was interested in the comments of the members who spoke earlier. They seemed rather to represent the view of their party. We understand that we're going into an economic slowdown, and that of course raises the question of whether or not tax cuts might be desirable. The government says, "Yes, tax cuts have a proven record of creating jobs," and we can go back at least 40 if not 70 years to prove the correctness of that. Yet we don't seem to have a strong commitment from the Liberal Party that this policy works. The actual fact is they have voted against every tax cut this government has brought in. They don't seem to make the connection that most governments and most voters have made over the last 70 years between invest-

ment, job creation and tax cuts. I would hope that at some point they might face the facts, see what the evidence tells us and start talking sensible economic policy with respect to tax cuts.

We know their record. They raised taxes—I've forgotten whether it was 62 or 64 times in the five years they were in office. That tax-and-spend policy, when it was pursued by the New Democrats in a recession, produced disastrous economic results. But it was the Liberal government in 1985 that started those policies. I frankly have been disappointed that they have not finally seen the results of sensible tax policy and I'm disappointed that they haven't come forward, acknowledged their error and started to advocate policies which will actually create jobs.

I would like to remind you what the net result of the last five years of the tax-and-spend policies were from 1990 to 1995: a net loss of 10,000 jobs over a five-year period; the worst economic performance of this province since the 1930s. We have gained 800,000 jobs in the last six years, a tremendous gain for the province.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I hope the viewers out there tonight understand that my colleagues from Kingston and the Islands and Brant were being really quite charitable. I think what they would say if they were really to let loose, as the member for Brant suggested and the member for Kingston and the Islands was about to do, is they would have talked a little bit about the viewers and their built-in crap detectors.

**Hon David Young (Attorney General, minister responsible for native affairs):** Built-in what?

**Mr McMeekin:** Built-in crap detectors. Let me just explain to the member opposite, because he obviously has been missing it. There's a maxim in counselling that we all tend to become what we claim we hate.

*Interjection.*

**Mr McMeekin:** Yes. Well, it's pretty difficult in this place to do that.

I suppose you could really do quite well if you could get somebody else to pay off your mortgage. This government laments the downloading from the feds and then it has consistently dumped on to municipalities, without any new revenue tools or new partnerships, all of the things that they don't want to pay for. Then they've got the gall to point to a federal surplus, when they've got a surplus over there, and, after urging the feds to cut taxes—which they argue on a good day is the right thing to do—they then say, "You ought to now invest this surplus in something that's a provincial responsibility," all the time walking away from the table when the feds say, "Look, long-term care, home care, pharmacare, primary care reform: we want to make that part of the national health care basket and we want to see some national standards put in place, because we're getting sick and tired of giving you money for health care when you just pour it back into tax cuts to Exxon and your corporate friends." So begin to practise what you preach

and the people with built-in crap detectors will begin to take you seriously.

**Mr Ernie Parsons (Prince Edward-Hastings):** The first rule of holes is, when you're in one, stop digging. This government continues with their tax cuts and yet they have lost 28,000 jobs out of Ontario this year. I would suggest that if you're losing jobs while you're doing tax cuts it's time to reassess.

Nevertheless, we've had speakers talk about Bill 127, a fairly substantial bill.

*Interjection.*

**Mr Parsons:** I don't mind being heckled, but not by my own member.

**The Deputy Speaker:** That's why I didn't jump in.

**Mr Parsons:** Thank you, Speaker. I will handle this myself.

Bill 127 is a fairly massive document. One of the difficulties with the large documents that this government has presented is that they hide things in there. Unfortunately, the interpretation doesn't happen until after it's passed.

2030

The member for Brant referred to some of the items in here being backdated or retroactive. I would like to share with you the last budget document this government did, when they went and did an aggressive attack on retailers who sell computers. At one time, software was exempt from retail sales tax, so naturally the stores and the firms did not collect it. The government made it retroactive and sent the people back in to collect the retail sales tax from the stores. Obviously, they had not collected it at the time the customer purchased the computer. They had no mechanism to go back and get the money from the customer. In some cases, it has put small businesses out of existence. The government that talks about concern for business very quietly but aggressively sneaked legislation in here that simply crippled some small and up that point viable businesses by having the affront to go back and backdate a retail sales tax. These people are now fighting. This government is not small-business-friendly.

**The Deputy Speaker:** The member for Brant or the member for Kingston and the Islands now has up to two minutes to respond.

**Mr Levac:** I appreciate this opportunity to wrap up. I want to thank the members from Timmins-James Bay, London West, ADFA—my bench mate—and Prince Edward-Hastings for their comments. I'm not going to talk to these two because what they said was right.

I would like to offer a rebuttal to the member for London West, who continually forgets the one fact that we try to make sure the public is aware that this great moment in history where they've reduced taxes, and the 13-year backdating of taxes that were implemented by the Liberal government back in 1990—he forgets to tell the public that as of today we have counted over 983 user fees that have been implemented since 1995. The transfer of using that money—it's lost on this group.

*Interjections.*

**The Deputy Speaker:** Take your seat, please. Order. Given that it was one of the members who was allowed

an opportunity to respond who cranked things up, I'll use this opportunity to ask everybody to calm down. I know it's been an interesting evening throughout the building. I'll say no more than that. But that's no cause for things to get out of hand here. We're doing fairly well. Let's stay the course.

The member for Brant.

**Mr Levac:** I will continue to explain and expose the government's inability to acknowledge the fact that they have done some things wrong. The member for London West wants everybody, 30 years ago, 10 years ago, 15 years ago, the NDP government—they're not admitting they made any mistakes. I'd like to hear the members on the other side admit they made a mistake.

One of the biggest mistakes—I want to ask the member, who is the parliamentary assistant, who says the evidence is there. The evidence I want to refer him to that has been given to him time and time again is that the scientific research done on the privatization of our jails was rejected outright by this member, this government, and they don't know it's already happening in Penetanguishene. There is a tremendous amount of danger going on. Just admit when you mess up. That's all. Just make an admission.

Thank you, Speaker. I appreciate the opportunity to respond.

**The Deputy Speaker:** The floor is open for further debate. It goes to the government.

**Mr Dunlop:** Thank you very much, Mr Speaker, and I will try to calm this crew down. It has been quite an evening in the House, and I want to apologize for not mentioning the fact that you had mentioned September 11 when you were giving your comments earlier.

It is a pleasure to speak on Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act, as it's called: An Act to implement measures outlined in the Budget and to implement other initiatives of the Government.

I would like to talk a little bit about Sept 11. There is no doubt in my mind at all, and I'm not disputing with anyone in this House, there was definitely an economic slowdown across not only Ontario, but Canada and the United States prior to September 11.

But I'll tell you, we came the other night into the Toronto international airport from our standing committee on regulations and private bills, which toured Sioux Lookout, and it was a very interesting day up there. I talked to the person who was driving—

**Mr Agostino:** Another junket.

**Mr Dunlop:** Some of your people were on the junket too, by the way.

I talked to the person driving the airline service back to Queen's Park. He told me that on most days the volume of business he's doing has actually dropped to about 40%. He showed me the line of Canada 3000 airplanes. I think there were about 15 or 20 lined up that are going to be put in the hands of the receiver or whatever. They haven't moved in the last few weeks. He talked about the other airlines and how business is down.

Some planes have at times five, six or eight people on them. I talked to my tourism operators, the people who normally at this time of year are booking vacations to the Dominican Republic, the Caribbean, Mexico and all these places, and they were telling me that the business is just not there.

People are afraid of what happened on September 11. We all sat and witnessed it that day. We watched on TV the destruction of those buildings. I personally could not believe my own eyes when I watched it on TV. I thought at first it was a foggy day or something, for a plane to hit a building like that. To see them both crumple in front of our eyes within a couple of hours was something that I don't think any of us will ever forget. So to say that September 11 did not have an impact on the economy of Canada, the United States or European countries and of course Ontario is false. We have to admit that and we have to work with that.

I think Premier Harris has shown a great deal of leadership on the end results of September 11. We've tried to do a number of common sense type of moves. Perhaps in the long run some of those moves will be wrong. But I think the fact is that we've tried to show leadership and confidence to the citizens of our province and that we care a lot about the economy and we want to get everything rolling.

"Rolling" is probably a term we've heard from the United States President, George Bush. He's trying to do the same thing: get people to go out and do Christmas shopping and make them take vacations and go out to family restaurants, all these sorts of things. It started happening last week. Maybe it's starting to happen. I understand that Wal-Mart in the United States last Friday had the largest single day in its history. So it's interesting to see that maybe now we're seeing a little bit of movement in the economy as a result of some confidence coming back to the people. I hope it goes further than that. I hope it will put those people with the airline limousine services—and maybe a potential purchaser of Canada 3000 will come forward and actually get the economy rolling. These are all very important sectors of our economy. I'm going to get to tourism in a second as well, but certainly that particular segment is suffering very badly right now, and hopefully we can get some confidence back in that.

I'd like to mention a couple of things about September 11, some of the moves that our Premier and our Minister of Finance have made. We all heard the Premier's comments on October 1, when he appointed two distinguished security advisors to the provincial government, retired RCMP commissioner Norman Inkster and retired Major-General Lewis MacKenzie. I think that alone showed some confidence to our citizens, the fact that we would put two very worthy people into positions where they would advise the government. We're moving ahead with the comprehensive review of Ontario's emergency readiness plan.

**Mr Agostino:** What have they done so far?

**Mr Dunlop:** I just heard someone say, "What have they done so far?" First of all, I don't think they would print those types of positions in the Toronto Star. I don't think they'd expect a report on that overnight. I would expect there's a detailed plan going into place right now. Some people I know in the Ontario Provincial Police have told me that they're working diligently on plans to deal with the September 11 aftermath.

I also wanted to say that we've provided funding for an Ontario Provincial Police rapid response unit to combat terrorist threats, as well as an anti-terrorism unit to investigate and track down terrorists and their supporters.

**2040**

Minister Flaherty in his statement back on November 6 announced \$30 million in funding to three other measures as well. The Emergency Measures Ontario organization, which offers municipalities more help with community emergency planning—there's a point right there: community emergency planning by municipalities. Most of the municipalities had comprehensive plans in place, there's no question about that, but they dealt with things like ice storms, train derailments, explosions and large fires. They didn't think of dealing with things like what happened in New York City, Washington and Pennsylvania.

We were pleased to see that Minister Flaherty announced a possible \$3-million investment in the Ontario Police College in Aylmer for anti-terrorism, as well as an approximately \$3-million investment in the Ontario Fire College in the riding of my friend from Parry Sound-Muskoka to deal with emergency management for firefighters and ambulance personnel.

I think that alone shows the type of confidence people have seen in our government. The only thing I can say is that I would like to have seen the \$3 million in Aylmer going to the Ontario Provincial Police headquarters in Orillia. Maybe the Solicitor General can help me out with that. I felt that would be an important investment in my riding, along with my \$95-million superjail in Penetanguishene, the privatization of which my colleague from Brant is so adamantly opposed to.

The other thing I wanted to say a little bit about was the \$14 million in two separate announcements following September 11 that Minister Hudak and Minister Flaherty made concerning tourism. I really hope that starting this winter, through marketing programs, we can attract American citizens and people from around the world to our lovely province, marketing in their media across either Europe or the northern United States, whatever it may be, to get people to come into Ontario and spend their tax dollars here in tourism. The two programs that Minister Hudak spoke of were Come Stay with Friends and Pride in Ontario. I know that a number of my constituents are currently putting in applications to that program. I think they are hoping they can get some funding to help promote some of the special activities that we have, not only in Simcoe North but right across our province.

Before I talk a little bit about Bill 127, I want to mention the other bills this government passed this fall or that we're working on. I'm quite excited about some of the legislation we're putting through here. I know some of it is time-allocated, and there is certainly opposition to that, but there has been some exciting legislation for Ontario and for the future of the province that's gone through here this fall.

*Interjection.*

**Mr Dunlop:** Right off the bat, Bill 111. I happened to be able to sit in the general government committee last week and talk about Bill 111 and listen to the committee hearings on it.

**Mr Frank Mazzilli (London-Fanshawe):** Which one is that?

**Mr Dunlop:** That's the new Municipal Act, Mr Mazzilli.

**Mr Mazzilli:** Oh, that's exciting.

**Mr Dunlop:** Yes. As a former municipal politician—I've said this many times in this House—I was quite excited about Bill 111. I think the last one was in 1848.

We had people like Mayor McCallion here, and the president of AMO.

**Mr Mazzilli:** She was here in 1848?

**Mr Dunlop:** No. Let me clarify that right now. Mayor McCallion was at the hearings. Mayor McCallion has been a municipal politician for 34 years and is probably one of the most outstanding politicians this province and this country have ever had.

I have to tell you that Mayor McCallion, the president and executive director of AMO, boards of trade, Ontario chambers of commerce and different organizations spoke very highly of this bill. They think it's a very positive step forward. It brings our municipal partners into a partnership in a true business sense, as business municipalities, here in the province. What I've heard at the hearings so far is that they are very pleased with this, although they do want to see about a five-year review to follow it up, to make sure everything is in line, so they don't go another 140 years without a revision in it.

Talking about other bills, Bill 122, the Oak Ridges Moraine Conservation Act, is certainly a winner. Everyone I've talked to has been so upbeat about this particular piece of legislation. It's a true partnership arrangement; working on the advisory council has brought us to this point. People across my riding, particularly in the Oro-Medonte area of the riding, are excited that this piece of legislation has come forward, and they're looking forward to the debate on this being finalized. Hopefully it will work in favour of the huge growth we've seen in the GTA and around the southern part of Ontario.

Another bill I want to mention is Bill 125, the Ontarians with Disabilities Act. I know there's some opposition from our colleagues across the floor, but certainly it's the first of its kind in the province's history and it's a step in the right direction.

Earlier the member from Kingston mentioned the community care access bill. I strongly support this piece of legislation. I have watched very carefully, over the last

few months, the positive and negative comments I've had on our community care access centre in Simcoe county. I think there's definitely room for improvement. I think we need to bring it into a more businesslike tone or businesslike sense as we work toward the future before we spend a lot more money in this particular field. As you know, it's strictly provincial dollars; there are no federal dollars involved in the community care access centres, although people do tell me it's a health care issue. I'm glad to see that something has been done and we can review these organizations and get them on the right track and spending as efficiently as possible.

Another act that I hope will be passed before Christmas is Bill 135, the Heritage Hunting and Fishing Act. We've got a tremendous amount of support for this piece of legislation in my part of the province. People want this done. I think they've been told for a number of years that something would happen at some point in the future with the natural right to hunt and fish in Ontario, and I hope we can go in that direction as well.

Bill 101, protecting students from sexual abuse: we have some people who are not completely happy with that bill, but it's definitely a step in the right direction. It's something, along with the Safe Schools Act, that our teachers, our parents and our children will certainly welcome in the future.

Of course, in the next few days we're debating Bill 110, the Quality in the Classroom Act, on teacher performance and teacher qualifying tests and performance appraisals. That's a promise we made to the citizens of Ontario, and we intend to fulfill that commitment.

I don't want to finish mentioning these bills without mentioning my colleague Mr Coburn, the Minister of Agriculture, Food and Rural Affairs. His nutrient management bill is a step in the right direction. I had a number of calls just this past weekend from farmers in Simcoe North who want to see this piece of legislation passed as quickly as possible.

When we're dealing with Bill 127, I want to talk a little bit about our role as a government and some of the guiding principles our government has in making some of the decisions we make. I know that every party doesn't feel the same and doesn't have the same types of principles. That's why we have a democracy, and that's why we're here debating and pursuing our own platforms as we go toward elections. Certainly the guiding principles I'd like to put on the record as my comments in Hansard would be, first of all, our commitment to economic growth to create jobs. I think that's been said a number of times, and I think we're very happy that the tax cuts create jobs as far as we're concerned. I know a number of people don't agree with that, but we think the proof is in the pudding and we're certainly pleased with what we've seen happen in the last six years.

The second guiding principle is confidence that the people of Ontario are in the best position to decide how to spend and invest their own money. I continually hear people say they want more of their own money back. They still feel they're overtaxed in this province and in

this country. We as a party believe that people know how to spend their own money wisely.

2050

Another guiding principle is our fiscal responsibility, which means spending tax dollars wisely and giving taxpayers the best value at the lowest cost. Over and over again we've talked about fiscal responsibility. We still believe there are huge dollars going into different organizations, different transfer agencies, and maybe the money isn't being spent wisely. I don't think any government will ever get that perfect, but I think we are on the right track continually talking about accountability and fiscal responsibility to municipalities, to most of the transfer agencies.

Responsible choice is another guiding principle. In facing competing demands, this government has an obligation to set priorities and make responsible decisions. Accountability, which I mentioned earlier: we believe the citizens of the province are entitled to see how their money is being spent. We've mentioned that a number of times.

Protecting the most vulnerable, and finally, looking to the future; that is, while dealing with immediate concerns we plan for tomorrow as well. Again, that's getting into our Smart Growth policies and why it's so important to talk about good planning and why something like the Oak Ridges Moraine Conservation Act works so well into our plans.

In closing, I just want to talk for a couple of minutes about some of the projects in my riding that I've been pleased to get through SuperBuild; I mentioned a couple of them a little earlier. We've been able to work with the federal government, through Brian Coburn's office and through Brian Tobin's office—the two Brians—to get two Canada infrastructure sewer and water projects approved in our area. One is Robins Point in Tay township. It's a water main extension worth about \$1.9 million. My colleague Paul DeVillers, the federal member, and I were able to announce that a few weeks ago, and also \$24 million toward the West Shore sewer and water project in the township of Severn. These are both projects that are in very highly sensitive areas. I can tell you right now that there is some opposition to it, because there is still a cost to the municipality and to some of the ratepayers. But all in all, it should be good for most of the residents and certainly will be good for the environment.

Just a week ago, during constituency week, I was really pleased when Minister Witmer announced the \$10 million for Operation Clean Water, the studies we announced across the province. We were able to get it in my riding through the Severn Sound Environmental Association and Mr Keith Sherman. We were to get \$511,000 of that money for groundwater studies. In the southern part of the county, Mr Tascona's and Mr Wilson's area—the other two ridings in Simcoe county—we were able to get \$916,000 for groundwater studies for those two ridings. So about \$1.4 million of the \$10 million went into Simcoe county. We have a lot of environmentalists in Simcoe county, a lot of people who are very

concerned about water supply. I know there was a very positive reaction to this.

I'm out of time already, but I just want to say it was a pleasure to speak tonight to Bill 127. I ask everyone to support this piece of legislation.

**The Deputy Speaker:** Members now have up to two minutes for questions and comments.

**Mr Parsons:** I'm pleased to respond to the member for Simcoe North and his comments on the bill. I'm just not sure which bill he was speaking to, because he covered quite a multitude of them.

Virtually every bill that comes before this House ends up, in some way or another, to be an attack on democracy. This particular bill, Bill 127, allows taxes to be set by regulation that formerly were set by people in this House where we were representing and accountable to the people of Ontario. This steals a little more democracy away from the citizens of Ontario.

The member talked about CCACs and the bill that's presently before the House and how it will improve service. I have learned that whenever we hear of services being improved, I'm going to get less service. With CCACs, it is very clear that this bill wants to remove any local input on the provision of home care services, pure and simple. It gives the government the power to fire the boards of directors. It gives the government the power to replace the executive director. That is a little less voice for each citizen in Ontario, a little less democracy. Each bill on its own may not seem significant, but the accumulation of them has been to steal democracy out of Ontario bit by bit.

This government that professes to want less government is, in fact, bringing about more government. Education tax mill rates that used to be set by school boards—where trustees were accountable to the community, where citizens could phone or pull into a driveway and contest a mill rate—are now set by ministry bureaucrats who arbitrarily pick a number. There's no mechanism for a local citizen to dispute it, and there's no mechanism for this House, the elected representatives in Ontario, to comment on it.

This bill before us, which is too massive for the average citizen to read, in fact contains more clauses that rob of us our democratic rights.

**Mr Bisson:** Two points: I was glad to see the member for Simcoe North get up and say he had erred when he talked about how our finance critic, Mr Christopherson—the now Speaker—had not mentioned the issue of September 11 in his speech. I think it's good that he did that. It's nice when you see a member actually admit he might have done something wrong and come back and give that apology. I think that was very well done.

I just want to say, on the issue of the economy and September 11, that I'm one who uses airlines regularly. Unlike many members around here, I've got to fly to and from—

**Mr Steve Gilchrist (Scarborough East):** Air Bisson.

**Mr Bisson:** Well, I fly my own at times too, but I have to fly Air Ontario on a fairly steady frequency and I

can tell you the loads were down before September 11. No question, September 11 made a bad situation worse, but the point we were making earlier was, let's not hide our economic woes behind September 11. Certainly that has made what already was a problem even worse, but the issue was there long before September 11.

I noticed that the loads were down way back last winter. On flights that were usually booked solid and if you didn't call a couple of days ahead you couldn't get on, last winter if you were coming in at the last minute you had maybe a half load or two-thirds load, and it was even lower than that by this summer.

On the Heritage Hunting and Fishing Act, the member made the comment that people are just waiting for this act and are all excited. I don't know what the heck they're all excited about. It's a piece of legislation that's got one line. It says you have the right to hunt and fish provided you follow the law. Isn't that what we do already? Isn't that the way it works? Anybody can hunt and fish in this province provided they follow the law. So there's nothing in this bill for anglers and hunters to get all excited about. I'll support the legislation, because generally I believe that anglers and hunters should have the right to hunt and fish. But I'm not extremely excited about that law, because it doesn't given them anything they haven't already got.

**The Deputy Speaker:** The member for Scarborough East

**Mr Gilchrist:** Thank you, Mr Speaker—my first time to thank you in your new, august position.

I want to thank the member for Simcoe North for his comments. I know that in addition to what he put on the record here today, the member is a very keen proponent of the need to manage and control development on another moraine, this being the Oro moraine in his riding. I compliment him for the leadership role he's taken in defending the natural heritage in his own community.

The budget bill before us today clearly lays out greater supports for what has been, over the last six years, the strongest economy in Canada—in fact, the strongest economy in the industrialized world.

The events of September 11 notwithstanding, we've already seen very tangible evidence that we have weathered the worst of any consequences of those tragic events. In fact, with the inherent stability, the inherent strength that has been given to our economy as a result of the legislative initiatives that have been pursued in this House and the extraordinary commitment by the businesses and individuals in Ontario to their own economy, we've turned whatever corner there was to turn. We heard this past weekend that bookings in hotels in Toronto and throughout the GTA have actually increased. While Americans may be driving up to our city to take their vacations instead of flying, they are coming here in record numbers.

We saw a one-month decline in economic activity in retail stores. We've already seen anecdotal evidence that that has rebounded and increased in October and through November. In fact, a certain very important retailer—I'll

use the name—Canadian Tire, reported that they had record earnings and record profits in the last quarter. So we're comfortable that this bill will simply augment what is already an incredibly strong economy, a vibrant and diverse economy able to weather any storm. This bill is simply going to make it better.

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**The Deputy Speaker:** The Chair recognizes the member for Brant.

**Mr Levac:** Thank you, Mr Speaker, for the opportunity to share a few words with the member for Simcoe North. I'd like to bring the member for Oxford into this discussion. Earlier he spoke—the parliamentary assistant, I believe he is—of this wonderful new—and wait for it—SuperBuild money that's coming our way. My challenge to the member for Oxford is to ensure that that money flows now.

Let's take a look at what that money flowing means to the people of Ontario. We do know that that money for infrastructure is properly spent. We on this side of the House have made it clear that we want to fast-track that spending, because we know that that particular expenditure for infrastructure, for water protection and for all those safety reasons needs to be made now. But, unfortunately, I will say this: be careful, be watchful, because guess what? Check those big cardboard cheques they bring out. They're going to be coming around just around election time maybe. If not, it should be done now. I want to make it clear that that spending should happen right now.

My challenge to the member is to make sure that he does whatever he can do to make sure that no one plays that game, because, quite frankly, our citizens don't deserve that. That's allocated money that's supposed to be spent. By the way, a lot of that allocated money hasn't been spent yet and actually there's no plan for it to be spent, which is why I want to come to the member for Simcoe North. The expenditures that he is proclaiming are going to be this wonderful collection of money for the safety and security of the province of Ontario are covered off in Toronto's request alone for its firefighting needs, \$2 million alone, and that has been allocated for the whole province. So shame on the member if he thinks that amount of money is going to take care of our safety and security in the province of Ontario.

The plan that Dalton McGuinty put out calls for \$100 million worth of spending out of that reallocated money, which is not new spending, and \$50 million would go to the municipalities in order to provide them with the amount of money that's necessary to get the proper amount of money into the municipalities. So the \$2-million expenditure would only cover Toronto, and he also knows that from Chief Speed.

**The Deputy Speaker:** The member for Simcoe North now has up to two minutes to respond.

**Mr Dunlop:** I'd like to thank the members for Timmins-James Bay, Scarborough East, Prince Edward-Hastings and Brant for their comments on my comments a few minutes ago. There are a lot of different points that

I could dwell on, but I think, going back to spending and to our budget, certainly the largest portion of our budget is our health care sector. I think it's \$23.7 billion that will be spent on health care this year.

I want you to know, and everyone's playing this game with the feds etc, but the fact of the matter is, when we're talking about the federal government, the transfers today are about \$60 million to \$70 million less than they were in 1994. That's the fact of the matter.

**Mr Bruce Crozier (Essex):** Why don't you talk about tax points?

**Mr Dunlop:** You can talk all you want and play these games with tax points. It's so grey, it's so pathetic, it's not even funny. You're paying \$66 million a year less today than you were in 1994-95. The government of Ontario is putting \$5.8 billion into it.

So I'm disappointed when I hear someone like the member for Prince Edward-Hastings talk about community care access centres when they won't support Ontario citizens and fight for more federal dollars from the federal government. We're only asking to come back up to 1994 levels; that's what they're asking across the country. The Premier is completely right when he's saying that this is a crisis, because the federal government is to blame at all levels across the country. I don't want to keep playing the game, but over and over again we talk about blaming the provinces for health care issues, and the federal government has a stake in this. They should play their game fair and square.

Again, I thank you for the comments. It has been a pleasure to be here this evening.

**The Deputy Speaker:** The floor is now open for further debate.

**Ms Caroline Di Cocco (Sarnia-Lambton):** It's a pleasure to stand in this House and speak to this budget bill. I want to say that this bill actually changes about 25 different laws. As well, it's really an omnibus bill. In large part, it implements some of the 2001 budget announcements. Of course we know that the corporate tax cut is now retroactive to October 1, and the personal income tax cut is retroactive to October 1 as well.

I want to say that one of the aspects of this bill that consistently alarms me is the fact that, in a long-standing trend of this government, they put measures in the bill that really require that statutory amendments can now be altered by regulation. They're called Henry VIII clauses. For the benefit of the members who don't know what a Henry VIII clause is, it was nicknamed after King Henry VIII because the 16th-century English monarch gave himself the power to legislate by proclamation, a power historically associated with executive autocracy. Henry VIII clauses are traditionally regarded in parliamentary democracies as undesirable because they empower the cabinet to pass regulations behind closed doors which override statutes passed by the democratically elected Legislature.

The member for Brant certainly spoke to it regarding the Education Act. I also see it in the GO Transit Act. For instance, the Minister of Transportation can appoint the

board members and set the catchment area by regulation. With this one, the Ontario Northland Transportation Commission Act, the commission can now cancel services with government approval and divest itself of its assets.

One of the announcements made by the government when they produced this new budget was, "The province announces further investment in Ontario's tourism marketing campaign," and apparently they're going to add \$10 million in addition to the \$4-million marketing strategy announced by the Minister of Tourism, Culture and Recreation. What is interesting about this—and I want to compare it to what's possibly happening with the Ontario Northlander—is we've got a government that says we're going to have to promote this province because we've got an economic downturn, because travel is losing money because of the incidents on September 11, but one of the things the Conservative government doesn't see—they don't look at the whole picture. They say they're going to put \$10 million into tourism, but they don't develop the sector, the cultural industry and the infrastructure within the cultural industry; that is what attracts people to Ontario.

For instance, the Northlander, if you want to talk about unique tourist possibilities, comes from areas up north—up in James Bay, for instance, and up as far as Moosonee, let's say. There you've got the wonderful historical aspect of the Hudson's Bay Company, which is in terrible disrepair because since the centennial year the province has sort of divested itself of investing in this, in the development of what it is we want to market. So they want to put \$10 million into marketing without developing the sector that's going to attract people to Ontario. Worse, there have been a lot of rumours that the Ontario Northlander is not making money, according to what this government says. That means we really should get rid of it. So they've got this statute in here that could possibly allow the cancellation of the Northlander. Then what have we done? Now we're going to spend money in tourism marketing, but we're going to take away the infrastructure that's actually going to take people to where these unique tourism possibilities are.

So they don't have a well-balanced approach in developing the sector. I point that out because they talk about their marketing campaigns, but it's the approach this government uses in its policies, which are single-minded, without a thoughtful, intelligent approach in how it manages the province's fiscal realities.

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The budgets are an indicator, in my view, for management direction of the government and of priorities. So we have an unusual circumstance today in this province in that there had been a declining of the economy happening before September 11, and then of course September 11 changed the world. But what does this government do? It doesn't take a look at the change that has taken place; it prides itself on saying that it's going to stay the economic fiscal course. One considers, why would you stay on the same economic fiscal course when you have such a

dramatic change in the fiscal reality that exists not only in Ontario but in Canada and the United States?

By the way, one of the issues about why we had such a prosperous six years is because, of course, we had huge or unprecedented economic growth that took place in the United States and globally. We rode that wave, and yet tax cuts may have had some—

*Interjection.*

**Ms Di Cocco:** We rode the wave of the US economy, and what happened here, while we rode the wave of the US economy—you have the economic growth going this way and you can bring the tax cuts this way. What we have today is that economic growth is going down, and this government stays on the same path of bringing the fiscal, the taxation—and tax cuts go down as well. What kind of economic condition are we placing this province in? It's a precarious economic policy.

*Interjections.*

**The Deputy Speaker:** Sorry for the interruption. That's just about enough from over here. Hiding behind the lid of your desk isn't going to work either. The little meeting going on over here is getting louder and louder. I would ask you to take it outside or keep it very quiet. Thank you.

Sorry for the interruption. Please continue.

**Ms Di Cocco:** Thank you, Speaker.

It is precarious. Any reasonable person who gives a thoughtful, intelligent approach to the change of circumstances in which we find ourselves—it would seem unreasonable and in my view precarious to say, "This is what we did before September 11; this is what we're going to do after September 11." It appears to me, again, that there's this single-minded, closed attitude and I think it's boxed in by this ideological programming that does not do just service to this province and to the people in this province.

Even during the fiscal economic boom, when you take a look at how the government managed, how the Conservatives managed their dollars, what did they do? Did they first balance the books? No, they had their tax cuts, and they borrowed \$10 billion to provide tax cuts. Their debt that they don't want to talk about has increased under Mike Harris and the neo-conservative agenda. It increased from \$90 billion in 1995 to the \$110 billion we have on the books today. They increased the debt by \$20 billion in good economic times. Of course, they borrowed money and added to that debt because of their tax cuts, whereas any good fiscal planner would say that first you have to balance the budget and then you give tax cuts.

During that era of unprecedented growth, they slashed and they cut the services ruthlessly. They fired thousands of nurses and slashed the environment ministry without giving consideration to the risks, to the human risk that would be imposed on the public. These neo-conservatives set out to restructure hospitals. They did it incorrectly; they did it backwards. Do you know what's amazing about the restructuring of hospitals? They forgot to put something into this equation, and that is—

**Interjection:** The people.

**Ms Di Cocco:** That's right, the aging population, which would mean that we have an increase in need. But do you know what else? I was looking at the Ontario Finances, and the population growth since 1997 has gone up by 600,000 people. We have 600,000 more people in Ontario today than we had in 1997.

**Mr Johnson:** Where are they?

**Ms Di Cocco:** It's in your Ontario Finances: a population increase of 600,000. That means there are more mouths to feed. Therefore, the services have to increase because the people have increased by 600,000.

We have achieved something during the unprecedented growth. We've achieved the lowest number of nurses per capita in this country. That's quite an achievement when we have had unprecedented growth.

The other aspect that I find interesting is how the government squandered the hard-earned public tax dollars. They play this political game of giving back \$200 per wage earner—\$1 billion last year that they gave away in total. If they had taken that amount in total and put it back into health care, can you imagine what it could have done for our hospitals and our health care in this province? Instead, they had to do their little political game of giving everybody back \$200 so that they could endear themselves to—instinctive greed I guess is what they're trying to endear themselves to.

Again, you spent millions of dollars in restructuring—more millions than they had even thought they were going to spend. The other one is that they squandered \$250 million on partisan advertising. About \$300 million, by their own account, in public dollars are going to go to private education. That's squandering taxpayers' dollars, in my view.

One thing they didn't cut during all this time is their cabinet offices. Their cabinet offices increased by 116% since 1995. So they sure know how to take care of themselves.

The hospitals, school boards, social services and many other public sectors don't even know how much money is allocated to them. They get all of these announcements. They're six months, eight months, 10 months into the year and they still have no idea exactly how much money is going to be given to them by the government. It is poor management. Simple: they play the game of announcements so that the public has a sense that money is being allocated, but in fact what is happening is that the hospitals or schools or other social agencies don't know where the money is and they wait and wait. In the meantime, they still have to pay their staff, they still have to pay their bills and they borrow.

We want to talk about competitiveness. They have one part of the equation. They talk about taxing industry 25% below the United States. Why are we doing that when we know that we are competitive? We know that we have a competitive edge because of the low dollar. We also have a competitive edge because our public health care is about \$2,500 per employee in this province less in cost to an employer because this is picked up by the public at

large. So when we talk about competitiveness, if we are going to sustain our ability to be competitive, we can't just do it based on tax cuts. We have to do it on our people, on our brain trust. Our brain trust starts not by fighting with educators who are there to help develop the brightest and best so that we can compete at the global marketplace with the brightest and best around the world. That's what competitiveness is about. Competitiveness is not this one-trick pony called tax cuts. It's a simplistic approach to a complex economic reality that you have to deal with. That's what concerns me. It concerns me because there is no sense in this province that the people development is a priority for this government.

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I listened to the ministers who are going to be running for leadership. I listened to Minister Flaherty with interest, and he says nothing about the people in this province. The word "people" doesn't come into the vocabulary. It's all about, "We have to have a balanced budget and then everything else will fall into place." The government, in my view, doesn't understand what real competitiveness is about because real, sustainable economic development is developing all of the aspects in a province.

Again I have to say that we need to create an environment that encourages businesses to thrive. We have a competitive environment. Now that we have a change in our reality in this province, I do not understand, and it's not good economic policy, in my view. It's going to be a precarious journey as we keep moving forward in the next year or two of possible economic decline. You have an ability now—you can't be sure. No one has a crystal ball. So why are you giving back \$2.2 billion in tax cuts that you don't have?

When you talk about health care, I've had a first-hand experience about the state of health care in this province, and thank goodness we were able to get an MRI in the United States and had to pay for it, otherwise I wouldn't know what incidents would be happening. Health care is a provincial responsibility. You have made choices to spend \$2.2 billion on tax cuts that you could have invested in health care. You made choices to spend \$250 million on partisan advertising. You made choices to spend 300 million public dollars on private education. You made choices to give \$100—it says so right here—per child under the age of seven, a one-time, tax-free payment. You made the choice of giving \$200 per person across this province. Those are the choices you made as a provincial government, so stop pointing fingers and take responsibility for what's in your jurisdiction, which is health care.

The money that was provided—do you know what? Why would anyone give you money, considering the way you spend it, the way you have squandered billions of dollars in this province on tearing apart our education system, on tearing apart our health care system? Why would anyone trust you with the dollars when every dollar that seems to come in is being used for tax cuts? It's not going to the services that are required. Again, you

need a thoughtful, intelligent approach to government, not an ideological approach.

*Interjection.*

**The Deputy Speaker:** The Solicitor General is way out of order. I'm asking you to please refrain.

The floor is now open for questions and comments.

*Interjection.*

**The Deputy Speaker:** Hey. Just because I look away, it's not a licence to start again.

The Chair recognizes the member for Timmins-James Bay.

**Mr Bisson:** I just say to the member for Sarnia-Lambton that you always know you're getting somewhere by the reaction you get on the other side of the House. I've got to say, they were certainly excited when the member pointed out much of the duplicity of the government's move when it comes to its economic fiscal agenda. I just have to remark that it's really interesting to watch how sensitive the Tories feel on a number of issues. They're extremely sensitive when it comes to the reductions that they've made both in the health care and education sectors. You see them protesting on the other side of the House. You see how agitated they get. I say let's keep it up, because we certainly know we're getting somewhere and the public has certainly figured it out by the way the Tories are reacting. I take it that the citizens back in their constituencies are reacting to that as well.

I also want to say to the member for Sarnia-Lambton that I agreed with her comments around the Ontario Northland Transportation Commission. The government introduced, by way of this bill, the possibility for the commission to wind itself down without having to come back to cabinet to do so. I think that is a great travesty in the making if the government does not take up the recommendations that have been put forward by the interior solutions group that was put in place by the people working at the ONTC to come up with some solutions. The issue is that you'll always have a subsidy going to that commission. It's a public corporation. The question is, how much of a subsidy are we willing to put forward? But what really bothers me, not only as a northerner but as a person living in this province, is that you have an opportunity to use the ONTC by way of rail services to enhance tourist opportunities in northeastern Ontario, and if we're serious about creating much-needed jobs in communities, we should be looking at how to invest to make that service work for people so that people are more encouraged to take the train, not only to travel by way of commuting to northern Ontario and back to the south, but by way of attracting people into that part of the province to spend their dollars in the tourism industry.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate this evening to comment on the talk from the member for Sarnia-Lambton. She was talking a lot about tax cuts. She talked about the \$2.2 billion in planned tax cuts, and I know the Liberal Party has been talking a lot about that.

**Mr Johnson:** They want to put the taxes up.

**Mr Miller:** They want to put taxes up; good point, Bert.

But this \$2.2-billion tax cut they're talking about, that's if the Ontario economy booms for the next five years, and it probably will under the Conservative government that's in power at this time. That's only if the Ontario economy booms for five years. Really, if the Liberals were stating things more factually, they would state that the real expected cost in the accounting year of 2002-03 to the end of March 31, 2003, is about \$20 million, not \$2.2 billion. So to the end of 2002-03 we're talking \$20 million, which certainly is a lot of money for all of us but it's not \$2.2 billion.

The member for Sarnia-Lambton was also talking about squandered millions by government. I agree totally, completely. That's why we have tax cuts, that's why we leave the money in the hands of Ontario residents, who know how to make much better use of that money and it's much more productive in businesses, in individuals than it is spent by government. So thank you for raising that point, an excellent point you made.

The member for Timmins-James Bay was talking about SuperBuild money not being spent. I guess that's why I was making an announcement in Muskoka last week to do with the MacTier sewer project and the fact that the Ontario government, through SuperBuild, is contributing \$2.7 million in a one-third, one-third, one-third arrangement with the federal government, the provincial government and the municipal government and why today I was arranging for some more SuperBuild announcements in the beautiful riding of Parry Sound-Muskoka. Thank you very much for letting me speak this evening.

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**Mr Bradley:** Thank you very much. The member may not be aware of this, but the provincial Treasurer, the Honourable James Flaherty, in the House this afternoon, in exchanges taking place while others were talking, I might add, stated that he thought the dollar should be at \$1.05 to \$1. You represent a border territory. The member for Essex is behind me. Those of us who represent border territories, such as the member for Niagara Falls and the member for Erie-Lincoln and myself, are flabbergasted that the provincial Treasurer would say he wanted \$1 up to \$1.05 Canadian to American. Does he not recognize—the Honourable Tim Hudak, who is supporting him, will be falling off his chair if he's watching this at the present time. Can you imagine the impact on tourism if we did not have the advantage of that dollar that we have at the present time?

Americans are streaming in to spend that kind of money. It's a big deal. They're coming into Stratford in great numbers to spend their money, because they recognize, first of all, we have a good theatre there, and second, that their dollar goes a long way. That's one of the bigger attractors.

Perhaps the people in Sarnia who work in the chemical plants or in St Catharines who work in the auto industry or in Thunder Bay who work in the pulp and

paper industry—I spoke to a vice-president of a pulp and paper company in Thunder Bay and I said, "When the dollar goes up one cent, how much does that cost your company?" He said it cost them \$17 million. Can you imagine the Minister of Finance of Ontario—and by the time he was finished shouting, he had the dollar up to \$1.50. I'm wondering what the member thinks of that.

**Mr Wettlaufer:** I was mildly impressed at the way the Liberal spin doctor was pulling the strings of the member for Sarnia-Lambton. All I heard out of her mouth was the kind of rhetoric that I have heard time after time after time over the last two years.

It's unfortunate that she didn't have an opportunity to sit in on the finance committee hearings in 1996 and 1997 when we had a number of economists come in. I'm not saying all of them, but most of them came in and indicated that tax cuts were the proper strategy to employ at that time.

I would like to point out too that she talks about US growth versus our growth. She seems to forget that our growth from 1995 until today has outstripped every jurisdiction in the G8. So forget about, "We're so dependent on the United States." Yes, we are dependent on them, but we outstripped every other jurisdiction, including all 50 states in the United States.

She also said she had to get this point in about partisan advertising. I want her to know that our advertising, allowing for inflation, isn't as high as what the Liberal government did between 1985 and 1990. The Liberal government was soundly condemned by the Ontario auditor at that time.

She talked about health being a provincial jurisdiction. Yes, but you're probably not old enough to realize that in 1966 the federal government agreed to incur 50% of all health costs, and now they're spending 14 cents on the Ontario health dollar. All we want is a little more equity.

**The Deputy Speaker:** To respond, the member for Sarnia-Lambton now has up to two minutes.

**Ms Di Cocco:** Mr Flaherty was talking about a \$5-billion shortfall in the budget. That's what they were talking about. I don't know if that's fabricated or real, but that's what they're talking about. So why would we stay the course in such a downfall? Why would you continue when you know you're not going to have money to pay for the services? Why would you continue with corporate tax cuts that are 25% below the United States? It makes absolutely no sense. You can't spend the money twice. You have to pay for your health care. You have to pay for education. But what you do is say, "Federal government, give us money because we've got to pay this \$2.2 billion in tax cuts."

Again, you need a thoughtful, intelligent approach, and what I hear is that there isn't any. It's, "This is one way we think. It doesn't matter what happens around us, what falls around us, we're going to stay on this path," even though I believe that an intelligent way to do it would be to say, "I think we have to rethink the strategy." The situation has changed tremendously in the world, it has changed in Canada, it has changed in the United

States, it has changed in Europe. But we have an ideologically driven agenda that does not see reason in anything. It just says, "Tax cuts are the answer to everything."

You have to remember that when it comes to this course that we want to stay on with the Conservative government, we're going to end up having real problems

in a year or two when we don't have any money to pay for our services.

**The Deputy Speaker:** It now being after 9:30 of the clock, this House stands adjourned until 1:30 tomorrow afternoon.

*The House adjourned at 2136.*

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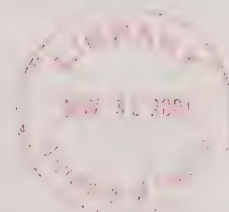
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 27 novembre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### AFFORDABLE HOUSING

**Mr Monte Kwinter (York Centre):** Last night in Toronto hundreds of tenants crammed into the city council chamber to take part in a forum that focused on the city's affordable housing crisis. The forum was told that the rental housing crisis is killing elderly people on fixed incomes. Some seniors are paying 90% or more of their income on rent, including a 77-year-old woman with a monthly income of \$1,178 who pays \$1,032 on rent. That leaves her with \$146 for all of her other monthly living expenses.

The plight of tenants has never been worse, with some tenants on fixed incomes facing double-digit rent increases. Across the city, 73,000 households are facing increases above the approved provincial guidelines for rent increases this year. This is effectively resulting in economic eviction for people of low and modest incomes. Evictions in Toronto are on the rise, averaging 60,000 evictions a year. The current vacancy rate in Toronto is 0.9%, which is far below the 3% vacancy required to have a competitive market.

These numbers come days before the federal and provincial housing ministers meet in Quebec City to try to agree on a national program to help solve the country's desperate shortage of affordable housing. The housing ministers will meet on Friday to try to come to an agreement on the proposed federal program that offers \$680 million over four years to help create affordable housing. This money is supposed to be matched by an equal amount from the provinces. It is time for both levels of government to come to an agreement to help address the issue of affordable housing, which is the most serious problem facing tenants today.

#### NIAGARA HIGH SCHOOL SPORTS

**Mr Bart Maves (Niagara Falls):** It was a very exciting day for the St Michael Mustangs on Thursday, November 15, as they defeated the Lakeport Lakers 21-7 in St Catharines for the division II high school football championship. This was St Michael's first year back in

division II football after playing as a division I team in the past.

Celebrations were held on both the Lakeport field and back at home field. A special tribute was held for the late wife of Mustang's coach Tim Rogers, who died after a long and courageous battle with cancer.

Other proud coaches of the St Mike's Mustangs include Dom Scozzafava and Carl Cook.

Although they didn't win their championship game of the 2001 zone 3 junior championships, the St Michael's Mustangs junior girls' basketball team should be applauded for their great efforts.

Also, the Westlane Spartans volleyball team tried their best but lost in the SOSSA championship finals. They too should be applauded for their hard work and efforts.

Finally, I'd also like to make mention of my alma mater, the A.N. Myer Marauders junior boys' volleyball team, coached by Joanne Thomson, whose mom happens to be my godmother. They recently won the southern Ontario championship. Great job, Myer.

As a part-time basketball coach myself, and a huge Niagara Falls high school sports fan, I'm proud of all of the local school teams who get out there and give it their all.

#### HIGHWAY IMPROVEMENT

**Mr Michael A. Brown (Algoma-Manitoulin):** Frustration. Frustration in Sault Ste Marie, Rankin, Garden River, Echo Bay, St Joseph Island, Desbarats and across the north shore of Lake Huron. For decades now, the people east of Sault Ste Marie on Highway 17 have been awaiting the completion of four-laning between the city of Sault Ste Marie and the four lanes that presently exist at Echo Bay.

Last week, my leader, Dalton McGuinty, and I heard first-hand of the frustration from area residents. A provincial facilitator has been unable to resolve all the issues surrounding this project. The federal government, in an unprecedented and meaningful fashion, has put \$700,000 on the table to make this provincial project work.

In my representations to the Minister of Transportation, he has given me an undertaking for completion of the four-laning by the year 2008. That is clearly unacceptable. It is clearly too long. People and families continue to be put at risk at this bottleneck. Tragedies continue on this dangerous and unsafe section of the TransCanada Highway. The minister must appoint a mutually acceptable arbitrator to resolve all outstanding issues with the city of Sault Ste Marie and the Batche-

wana First Nation at Rankin. The funding and construction of this important section of crown highway must be fast-tracked and the people of Algoma, Sault Ste Marie and indeed all motorists must be finally assured of the swift completion of this highway.

#### DURHAM ACCESS TO CARE

**Mr John O'Toole (Durham):** I rise in the House today to advise my colleagues of the important work of Durham Access to Care in my riding of Durham and, indeed, the entire region of Durham. Statistics tell us that over 1,000 residents of Durham received services during the month of September, but I prefer to think of these individuals, the people behind the numbers. These are the children, men, women and youth who recover at home after hospital visits. They are senior citizens who need support that makes home living more comfortable for them. This important agency helps people recover and maintain their health close to their family, their community and friends.

I'm pleased to share with the House some of the important milestones that Durham Access to Care has achieved. These include: a five-star rating for hospital-community care access relations in the OHA hospital report card—only two five-star ratings were awarded in all of Ontario; successful accreditation through the Canadian Council of Health Services; and completion of a community health forum recently with over 150 participants.

Through a question to the House, I will bring to the attention of the Minister of Health and Long-Term Care some of the specific concerns MPPs have discussed in a recent meeting with Durham Access to Care. We look to this outstanding agency for experience and input on important priorities of care in the home. I'd like to congratulate the dedicated staff of Durham Access to Care, CEO Janet Harris, board volunteer president Bill Botshka, as well as past chair Barb Hiemstra. I thank those volunteer board members and the agency for the success and service they provide to our community.

#### NURSES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** A shocking study was released yesterday by the Canadian Institute for Health Information. The report shows that nurses in Canada are 50% more likely than the average employee to miss work because of injury or illness. Shocking as this finding is, the fact that stress, burnout and physical injury are affecting nurses should come as no surprise, certainly not here in Ontario.

Ontario nurses have been pleading with this Tory government to understand the reality of their working conditions. Just look at where nurses work: many of them work in acute-care hospitals—at least, they do when they are not being laid off because of budget cuts. It was just over five years ago that 10,000 nurses were fired. Many of them left nursing or left the province, and now we face a nursing shortage.

Yet despite the need for nurses, hospitals have no idea of what their budgets will be and are still not hiring full-time nursing staff. Some 60% of nurses are hired on a part-time or casual basis. They have no job security, yet they are being called in for far more overtime than anyone should be expected to do.

Nurses work in long-term-care facilities, but there are so few nurses hired there, because of budget restraints, that a nursing home can actually be a physically dangerous place for both the vulnerable elderly person and for the nurse.

In home care, nurses are being asked to take on more and more patients, without the time to provide adequate care.

In 1998-99, \$39 million was spent in Ontario on sick time for nurses; \$17 million went to overtime; \$19 million was spent on replacement for nurses off sick. It would be far better for patients and for nurses to spend those millions on better working conditions for Ontario's nurses.

1340

#### TRANSFER PAYMENTS

**Mr David Christopherson (Hamilton West):** I draw the attention of government members to the fact that a quick read of today's Hamilton Spectator provides a pretty good snapshot of what exactly is happening in communities as a result of your giving away billions of dollars to the very wealthy and to corporations in this province at the expense of transfer payments and other public services.

First of all, the front page talks about the mayor vowing food checks, where they're going to jump on the issue of restaurant inspections in Hamilton, much like we saw happen here in Toronto. But let's keep in mind that this is a result of the downloading that this government placed on municipal councils like Hamilton, where they've been forced to cut in places that don't obviously generate headlines right away but down the road affect the quality of life of citizens. I can't think of a better example than something like this.

Next, "Public Schools Need \$20 Million in Repairs." You've offered us \$6.8 million. We need \$20 million just to keep the existing schools in the kind of shape that most of us would accept for our children to be in. But you haven't given them the money because you've given it all away in tax cuts to the corporations and the rich.

Lastly, Ken Mitchell talks about the "Erosion of the City's Tax Base Must Be Stemmed." We're already boxed in, in terms of our inability to be competitive, based on our tax rate, and yet how do we cover off public services that you don't provide the funding for any more?

#### HOSPITALS IN PEEL

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Brampton got good news last week. Brampton is one of Canada's fastest-growing cities, and Peel region is

growing by 20,000 people each year. We all know that the hospitals of Peel are straining to carry this growing and aging population. That is why we were all so thrilled last year when Minister Witmer announced a new hospital in my riding at Bramalea Road and Bovard Drive.

So we had the issue of the old hospital site. It is old and worn out, but it's an important part of the economy of downtown Brampton, and one hospital will not be enough for such a large city.

I was very pleased last week when we got word that the old hospital, Peel Memorial on Lynch Street, will be staying open. Our two hospitals will serve the needs of my community into the next decade. As part of the William Osler group, they will take cases from all over the western GTA. In his announcement, Mr Clement said, "The Ministry of Health has recognized Brampton is big enough, and mature enough, for two hospital sites." The minister has shown a strong commitment to proceed with the new hospital and has indicated that he would like to see a shovel in the ground by spring or summer next year. We're looking forward to that continued support and commitment.

This is a proud day for Brampton. I congratulate the government for planning ahead, for delivering on its promises and for ensuring access to hospital care for Bramptonians today and in the future.

#### MINISTER'S COMMENTS

**Mr James J. Bradley (St Catharines):** "I don't know how anyone can tell you they're going to do tax cuts next year, looking at a \$4-billion or \$5-billion deficit.

"I'd like to say that but I don't know how I can say it and then turn around and look you in the eye and say I won't have a deficit. In my mind, you can't square that circle."

You must be wondering who made that statement. Was it Liberal leader Dalton McGuinty, Liberal finance critic Gerry Phillips or any member of the Liberal caucus? Was it one of dozens of economists who have said that for years? It could have been, but it wasn't. That bold statement came from none other than Labour Minister Chris Stockwell.

Too bad Stockwell couldn't have convinced his ideological revolutionaries in the Harris government of this wisdom before they borrowed billions of dollars to pay for the tax cuts in the first term, tax cuts that added \$22 billion to the provincial debt under the Harris regime.

Stockwell must be embarrassed to see his boss, Mike Harris, trying to convince a skeptical public that he wants more money from the federal government for health care. A sharp guy like Stockwell understands that Harris wants the money to pay for his ill-timed and ill-advised tax cuts, not for health care. Stockwell, like Ontario Liberals, understands that his government has a choice: either health care or tax cuts. Come on, Chris, tell Mike and the gang that he has all the money he needs for health care

and to balance the budget, if only he will abandon his tax gifts to the rich and the powerful.

#### PLANT CLOSURES

**Mr Bert Johnson (Perth-Middlesex):** Last week I met with three members of Stratford city council, along with union representatives and employees from Canadian Fabricated Products in Stratford. Two months ago their US parent company, Johnson Controls, announced they would be closing their Stratford plant this December, putting 400 people out of work. Westcast Industries also announced recently that they are closing their Stratford plant. In that case, most of the employees will be offered jobs in other Westcast plants in southwestern Ontario.

In places like Stratford, these plant closings have a major impact on workers, families, the local economy, social services and the community in general. Such closings raise the important question of what the role of government should be in these types of situations. These closings also demonstrate the importance of all three levels of government providing an economic climate for businesses to grow, prosper and compete.

This government believes that strengthening Ontario's economic fundamentals continues to be the best strategy. This includes sound fiscal management, keeping the province's expenditures under control, cutting taxes and removing barriers to investment in the private sector.

The closings of Canadian Fabricated Products and Westcast Industries have hit Stratford hard and I want to thank my colleagues the Minister of Economic Development and Trade and the Minister of Labour for their assistance. I encourage all three levels of government to work together to create the economic conditions so that communities like Stratford can retain their existing businesses and attract new ones.

#### WEARING OF RIBBONS

**Mr Michael Gravelle (Thunder Bay-Superior North):** On a point of order, Mr Speaker: I'd like to seek unanimous consent for all members who have the white ribbon campaign flag on today to be able to wear it. This is a campaign led by men to seek a way to eliminate violence against women. It's an important campaign run internationally and I would be grateful if all members would agree to this.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard a no.

*Interjection.*

**The Speaker:** Oh, one member didn't hear it. Would you say it again for the member, please, on a point of order? The member again on unanimous consent?

**Mr Gravelle:** I'd like to seek unanimous consent to wear the white ribbon emblematic of the white ribbon campaign, a campaign led by men to eliminate violence against women.

**The Speaker:** Is there unanimous consent? Agreed. I thank the members.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Steve Gilchrist (Scarborough East):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill as amended:

Bill 90, An Act to promote the reduction, reuse and recycling of waste / *Projet de loi 90, Loi visant à promouvoir la réduction, la réutilisation et le recyclage des déchets.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

Pursuant to standing order 72(b), the bill is therefore ordered for second reading.

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill as amended:

Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / *Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated October 15, 2001, the bill is ordered for third reading.

## INTRODUCTION OF BILLS

### UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY ACT, 2001

#### LOI DE 2001 SUR L'INSTITUT UNIVERSITAIRE DE TECHNOLOGIE DE L'ONTARIO

Mrs Cunningham moved first reading of the following bill:

Bill 139, An Act to establish the University of Ontario Institute of Technology / *Projet de loi 139, Loi visant à constituer l'Institut universitaire de technologie de l'Ontario.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** I'll do it later.

1350

## STATEMENTS BY THE MINISTRY AND RESPONSES

### UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Our government has made great strides in improving the post-secondary sector for the people of Ontario.

For example, increasing choices and opportunities for students at all levels of study is a priority for our government. To date, we have increased the capacity of our colleges and universities to address the expected enrolment growth. Through SuperBuild, we have launched the largest expansion of Ontario colleges and universities in more than 30 years. The government is spending over \$1 billion to create new spaces for future generations. In addition, to ensure that there will be faculty and resources to support these new students, we are increasing operating grants by \$293 million over three years.

We are also working to ensure that post-secondary programs are meeting the needs of today's students and employers. That is why we have provided \$228 million to launch the access to opportunities program to create an additional 23,000 spaces in high-demand programs such as computer science, programs the students really want.

To help students and parents plan, we also froze tuition to 2% per year for most programs over five years. This means that students will know the cost of their chosen program's tuition for the next four years.

The list goes on, and today we take another step.

At the opening of this legislative session, Premier Harris reiterated our government's focus on strengthening the economy. One of our government's priorities is to address skills shortages and ensure that Ontario boasts the skilled workforce necessary to attract investment and jobs. Ontario's workforce is facing long-term challenges, with more people retiring from work than the number of new workers starting their careers. As Ontario's workforce retires in record numbers, the availability of new recruits with the skills to enter the workforce will be increasingly in demand. These new young employees will need a wider range of post-secondary education choices, and in some cases a new kind of educational choice, to acquire the skills they need.

Durham region is one of the fastest-growing areas in Ontario. To support this growth and plan for the future, the people of Durham have been working to expand the region's economic base and aggressively court knowledge-based industries. For some time now, the people of Durham have been telling our government that a

university built on the strong foundation of Durham College is necessary to support their goals. A university would serve as an anchor institution to provide a skilled and trained workforce, along with the necessary research and know-how needed by the Durham region to secure its economic future.

Our government has also heard from other stakeholders that the time is right for more choice and flexibility in post-secondary education. The Ontario Jobs and Investment Board report recommended that post-secondary institutions should be stronger partners in regional economic development.

In addition, students, parents and employers have asked the Ontario government to allow greater flexibility in the educational opportunities available to students so that they can acquire the marketable skills they need to prosper in today's world. They asked for greater collaboration between our post-secondary institutions.

As chair of the Council of Ministers of Education for Canada, I am proud to tell this House that all the ministers from the provinces and territories in Canada agree. We will pursue the transferability of post-secondary credits between colleges and universities and between provinces and territories, given the rapidly transforming landscape of higher learning and the growing importance of prior-learning recognition.

There are several young people from Durham College here in the House. I want them to know that we have listened to what they have told us and we are responding.

Here to celebrate today's introduction of the University of Ontario Institute of Technology Act we have Darla Price, who is president of the student association, and Kerri-Ann Keohagan, a vice-president of university students.

This is all about students and post-secondary education, and we are very pleased today to welcome president Gary Polonsky, governor Dave Broadbent and governor Garry Cubitt as well.

In October we proclaimed the Post-Secondary Education Choice and Excellence Act, 2000, as part of our strategy to make the post-secondary system more responsive to the changing needs of students and working adults. Under this legislation we are accepting applications for new applied degree programs at the Ontario colleges of applied arts and technology and for out-of-province and private institutions to provide degree programs or operate as a university in Ontario.

In the May budget, my colleague the Minister of Finance announced that the government would invest \$60 million to establish the University of Ontario Institute of Technology, to be located on the campus of Durham College. Today I was pleased to introduce legislation, An Act to establish the University of Ontario Institute of Technology, 2001.

The institute, better known as OIT, would be an innovative university where students would have the choice of earning degrees in programs that mix practical and theoretical knowledge and skills geared to needs of the local workplace. If established by this Legislature, the

University of Ontario Institute of Technology would offer a wide range of opportunities to help students complete their degree. In short, the goal here is to provide one-stop shopping for students looking for a mix of academic and hands-on experience.

OIT would focus on degree programs designed to meet current and future employment and economic development priorities, including applied health science, applied science, advanced manufacturing, policing and community safety, applied art, nuclear technology and safety, business and information technology, and scientific and technological teacher education. Mr Speaker, with the introduction of An Act to establish the Ontario Institute of Technology, 2001, we are addressing the need for workers who will have a higher level of skill and hands-on experience.

Let me assure you and the students of Ontario that our government will ensure that any programs offered by OIT will be of the highest quality. The proposed degree programs would first be assessed by the Postsecondary Education Quality Assessment Board against strict criteria to ensure that they meet or exceed our standards for university education.

Overall, our government is meeting the commitment to allow greater flexibility in the educational opportunities available to students. We have created the framework for more flexibility and opportunities for learning and for greater collaboration between our post-secondary institutions here in Ontario and throughout Canada.

If passed by this House, An Act to establish the University of Ontario Institute of Technology, 2001, would offer students more opportunities and a full range of choices to acquire the skills they need to succeed.

**The Speaker (Hon Gary Carr):** Responses?

**Mrs Marie Bountrogianni (Hamilton Mountain):** After six years of the largest cutbacks in post-secondary education in Ontario's history, over 60% increase in tuition and students sleeping in motels and on friends' couches because there aren't enough residences built, this government today announces the University of Ontario Institute of Technology.

This is what parents, students, faculty and presidents are telling us—

*Interjection.*

**Mrs Bountrogianni:** I'm just relaying the message from the voters. I think you should be interested.

Why is this institute jumping the queue? Other universities and colleges have applied to the quality assurance board and have been waiting patiently, have drawn up plans, it has cost them money—these are places in your ridings, gentlemen and ladies across the way—yet they are not anywhere near being announced in the Legislature.

I'm happy to hear that it will in fact go in front of the quality assurance board. I'm assuming it will go through the quality assurance board with the appropriate amount of time and attention to detail to ensure that this indeed will be a quality institution, that it won't be swept through the legislation in the next day in your fervour to

get it all done before you prorogue the Legislature and go on to your leadership campaign. I'm assuming that's what's going to happen.

1400

*Interjection.*

**Mrs Bountrogianni:** "Years," the minister says. Do you hear that, everybody? That's good to hear.

The second thing that I'm hearing from the stakeholders out there is the name: Ontario University Institute of Technology. "That is a very misleading name," is what I'm hearing from the faculty out in the other universities and colleges. In this digital world when people are doing searches for their children and for themselves to look for institutes across the world, when you cue in "University of Technology," you'll have a very misleading picture. You'll have one institute. That's false advertising, it's confusion, and it contradicts Portals and Pathways, which says one-stop shopping: make it clear for the students.

The other thing I'm hearing is that there is no commitment from the government that this \$60 million will be over and above the operating grants to the existing institutes.

**Hon Mrs Cunningham:** It's not even operating; it's capital.

**Mrs Bountrogianni:** Whatever. The \$60 million is not over and above the other institutes. Your own Portals and Pathways—speaking of capital, your own committee says \$1.2 billion is necessary. You've only given \$140 million. Thank you for reminding me.

Where are you going to get the professors for this institute? You have not hired any. They're retiring. We will have a shortfall of 12,500 professors by the end of the decade. You have not given them money to hire new ones. You can't hire one overnight, Minister.

The Price Waterhouse study—which, by the way, was not made public—showed that enrolments will be a lot higher than your predictions. You buried that report. I demand on behalf of the students out there that you make that report public. You have based your funding formula, intellectually vacant as that funding formula is, on numbers that are inaccurate. They're significantly below the students actually enrolled, significantly below. Please show us.

Trent University—and the member from Trent should listen to this—has asked for a faculty of education for years. Why are you giving it to this institute when an existing university wants one and you're not giving one to Trent University?

Queen's University wrote to Minister Runciman about the same thing. They have a bachelor of education in technology; it's under capacity. They can handle more students. Instead, you're opening a bachelor of education in technology here. I think I know why, and I think Mr Runciman should take note, and Mr Eves should take note as to why Queen's was ignored.

The Ontario College of Art has a technology niche, and they are also worried about you taking away this niche. They're not worried about competition, Minister; they're worried about unfair competition. If you want to

fund this institute, fine, but don't underfund the other institutes.

As far as residences, where are these students going to live? Have you thought about that? They are presently in motels, hotels and on friends' couches.

It's no wonder that today's release of OCUFA's poll shows that 70% of London constituents—your riding, Minister—say that your government has failed the students of this province, your government has mishandled post-secondary education, your government has no plans, and if there was an election tomorrow, they would be voting for the Liberal Party because we care about our students and we care about the future of this province.

**Mr Rosario Marchese (Trinity-Spadina):** I just want to say to the minister that I really don't think it's a bad idea. I don't. I think it's a good idea, in fact, to introduce such a measure. And do you know what? I don't even think it's such a bad idea to have it in Durham, because I think Mr Flaherty likes it. Clearly he's a big supporter of the idea, because he's flowing the money, and when Flaherty likes it, money flows, right?

Similarly, he loves the private schools, and so he said, "I'm sending over \$500 million of our public dollars to fund private schools," and you can rest assured the Minister of Finance will flow the money. No matter what, the money will flow. So it's a good idea.

I know the Minister of Finance is running your ministry by remote control too, and I'm happy to hear that the money will flow. But here's the problem, Minister: you are introducing a very good idea at the wrong time, again and again. You are sacrificing the rest of the system because Minister Flaherty says, "I want a university in my area," and he gets one. But the entire system that this minister is presiding over is falling apart. They've got no money. Presidents of colleges and universities are saying, "Our system is falling apart." I've got to tell you they are saying it privately; they are not saying it publicly. I'm saying to the presidents, have the guts to tell her, the minister, and to tell this government what you tell us privately: that the college and university sector is floundering.

The minister doesn't want to listen to it because, you see, she's so proud of all of the investments she is making in the university and college sector that she nonchalantly introduces this idea and tells us how great she is and how great this government is and all the money that's flowing from this government to that sector. The presidents are telling us, Minister, and you know—that's what's sad: you know what they're telling us privately that they can't tell you privately, or the public—that we are in trouble. Tuition fees have skyrocketed under you people. Tuition fees have gone up 60%. They can't bear the burden of that debt load. The minister is happy to say, "It hasn't prevented students from going to university." Of course not, because the majority know that you need a university and college education, and they will sustain the debt no matter what. The minister is proud and happy to say that it hasn't prevented them from going to university. We know that, but the debt burden is intolerable.

Buildings are decrepit and are falling apart, and the money isn't flowing. Then madame la ministre says, "But we capped tuition fees at 2%," as if to say that for the poor students who have no basis of earning a living, 2% is not a big issue. Oh, yes, we've increased tuition fees by 60% and we've now capped tuition by 2%.

The presidents of the colleges are saying, "We cannot allow more students in our system, because we can't afford it. We don't get the money commensurate with the numbers of students who are coming into our system. We can't do it." They're telling me privately that they are going to incur a deficit next year. The colleges are saying—Minister, you're not listening.

**Hon Mrs Cunningham:** Ask me why not.

**Mr Marchese:** But I'm telling you—pay attention to me. College presidents are saying there will be a deficit coming. They won't know how to pay that problem. They're saying, "If the government doesn't give us money, we're going to have to increase tuition fees," beyond this paltry 2% that these students have got to pay, because they can't keep up. They can't keep up with the cost of allowing these students to come in, because you are not giving them the money. Collectively, colleges and universities have gotten \$2 billion less than ever before. They need money to provide programs for these students, and this government doesn't give it away—\$5 billion they're going to cut. Where do you think that money is going to come from? When Flaherty says, "We're going to have to cut \$5 billion more," it's going to come out of the university sector, out of the college sector.

I'm saying to you, Minister, give this \$60 million in capital back to the colleges, give it to the universities, which are starving for money. Give it to them, because this money is needed preciously by them.

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker: I seek unanimous consent in the face of a new assessment by a member of the executive council that if the government proceeds with more tax cuts, we could get a deficit not of \$5 billion, as has been predicted, but as high as \$6 billion or \$7 billion. Therefore, I seek unanimous consent to allow the finance minister to bring forward a revised economic statement.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

1410

## ORAL QUESTIONS

### HEALTH CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Health. This morning the Premier threatened Ontario's seniors when he threatened to walk away from their home care and drug programs. He said none of these are mandated by the Canada Health Act, so he might just up and walk away from these programs. Your government has already thrown home care into chaos. We know you've committed your-

self to removing some seniors from the drug plan. Now you're talking about abandoning these two programs in their entirety.

Minister, will you take this opportunity to calm our parents and our grandparents by unequivocally denouncing the Premier's reckless threat to their home care, to their health care?

**Hon Tony Clement (Minister of Health and Long-Term Care):** As the honourable member knows, the context of the discussion was the fact that federal health spending, when you look at it from a five-year period, a 10-year period, or whatever period you want to look at, has gone down, down, down. Ever since Jean Chrétien has been elected, the percentage of federal spending is lower than it was in 1993. Since 1994-95 we've increased our spending in the province to \$23.7 billion, an increase of over 35%, and yet the federal Liberal government has increased their revenue by over \$8 billion but their health and social service transfers have increased by a paltry \$400 million. We spend in Ontario, as a provincial government, over \$750 a second on health care. Ottawa contributes just \$107 in the same time period. It's clear the federal government is not living up to its responsibilities. The honourable member should be ashamed to be part of the same party.

**Mr McGuinty:** Minister, let me tell you that you and your government have no moral authority whatsoever when it comes to making your case before the federal government.

Here are the facts, Minister: just last year you signed a five-year deal that's going to give Ontario \$8 billion more over the course of the next four years. If it was such a bad deal, why did you sign it? Of the \$1.2 billion in new money invested in Ontario health care this year, \$1.1 billion came from the federal government. The third matter Ontarians should know is that now that you're telling Ontarians there's no more provincial money for health care, you found \$2.2 billion in provincial money for corporate tax cuts. We know where you stand when it comes to your commitment to health care for Ontarians.

I'm asking you, Minister, in the light of all that, why don't you agree now that you're going to put health care first and that you're going to cancel that corporate tax cut?

**Hon Mr Clement:** Let me first correct the record. The Premier of this province did not sign any deal with Jean Chrétien. The Premier of this province said at the time—I've got the news release indicating that it falls short of the needs and the expectations of Ontarians. He's been a fighter for health care for this province. He has been fighting the federal government, which cut down on the social service transfers and the health care transfers. He has been fighting Jean Chrétien.

Where has Dalton McGuinty been when we've been fighting for health care? Nowhere. He has not only opposed our position when we're fighting for health care, he has opposed every single tax cut we proposed in Ontario. That's not leadership; that's a disgrace.

**Mr McGuinty:** Minister, listen, I'll make you an offer. You and I and the Premier will go to Ottawa and

we'll ask the federal government to give us more money for health care, and in return you and I are going to make a solemn commitment. We're not going to put money into corporate tax cuts, we're not going to put money into private school tax credits, and we're going to stop spending hundreds of millions of dollars on partisan political advertising. That's my offer to you.

**Hon Mr Clement:** Here's the record, Mr Speaker: his federal Liberal cousins promised money for pharmacare. They didn't deliver. His federal Liberal brothers and sisters promised money for home care. They didn't deliver. His federal Liberal cousins say they're for health care. They don't deliver. If he wants to be associated with the federal Liberals, he can go right ahead. We're going to fight for the people of Ontario, and we're proud of it.

*Interjections.*

**The Speaker (Hon Gary Carr):** Members for Windsor West and Windsor-St Clair, please come to order. I think the minister was done. I didn't mean to interrupt him.

#### FISCAL AND ECONOMIC POLICY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health in his capacity as Acting Premier. US economists are telling us today that the US has officially been in a recession for some months now. Of course this is big news here in Ontario because we understand that our economy is so closely linked to the US economy, with 95% of our exports being US-bound.

Your government is telling us that the financial picture here in Ontario is not that rosy either. Our revenues are shrinking and we're looking at up to a \$5-billion deficit.

In these circumstances, Minister, and that is, the case of a US-led recession, the fact that we're looking at up to a \$5-billion deficit which is going to necessitate deep and severe cuts, can you name one economist—I just want one—who supports your government's spending \$2.2 billion on a corporate tax cut?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I don't have to rely on that. I can rely on the statistics of the last few years of a Mike Harris government, where we have cut \$6 billion of income taxes and all sorts of taxes and there has been a \$14-billion increase in provincial revenue. Why is that the case? I'll remind the honourable member. We have more jobs in this province, we have more economic activity in this province, we have more economic opportunity in this province because of our policies of tax cuts creating jobs, of spending within our means, of not trying to be all things to all people. That is the economic record. Those statistics speak louder than words. We are proud of our economic record. We're proud of the over 800,000 jobs that this economy has produced with the Mike Harris policies. We have noted with a certain amount of entertainment that finally the federal Liberals are touting their tax cuts. They are saying tax cuts are important. The only

party in the western hemisphere that doesn't believe in tax cuts creating jobs is the opposition provincial Liberals. They should be ashamed of themselves.

**Mr McGuinty:** Here are a couple of statistics you might want to keep in mind with respect to your tax cut policies. Since the last budget, Ontario has lost 30,000 jobs. We've had the slowest rate of growth in the country. Your predilection for this corporate tax cut has nothing to do with economic policy and everything to do with ideology.

Do you know what I think you should do? I think you should pay some attention to your leadership colleague Chris Stockwell, who said, "I don't know how anyone can tell you they're going to do tax cuts next year, looking at a \$4-billion or \$5-billion deficit." I think Mr Stockwell makes perfect sense when it comes to this particular issue and I'd urge you as a colleague to consider that.

Of course, he's not the only one. I hope you've been keeping an eye on some of the commentary in Ontario newspapers. The Brantford Expositor: "Tax Cuts Need to be Rethought"; the Niagara Falls Review: "Ontario Tories must reconsider their planned \$2.2-billion corporate tax cut"; the Sarnia Observer: "Province Should Reconsider Tax Cuts."

Minister, why don't you admit this has nothing to do with economic policy, it has nothing to do with doing the right thing for Ontario families and it has everything to do with neo-conservative ideology?

**Hon Mr Clement:** Now I've heard everything. The honourable member started off the question by quoting economists. Then he went to editorial writers. Perhaps the next person will be Jean Chrétien. He's going downhill all the way with his quotations.

I prefer to rely on the testimonials of the 800,000 men and women in Ontario who have a job, who have a chance at economic activity, a chance to pay the rent, a chance to pay the mortgage. Those are the people we listen to on this side of the House because the record speaks for itself. They're the people who have been the direct beneficiaries of tax cuts, because tax cuts create more economic activity, and more economic activity creates jobs. I know the honourable member has voted against every single tax cut that we have proposed in six and a half years. The honourable member belies his concern by his voting record, by not caring about competitiveness, by not caring about productivity. But we on this side of the House listened to the 800,000 individuals who want a better life in Ontario. We're with them.

**Mr McGuinty:** Minister, I'd ask you to pay a little bit of attention to the 30,000 Ontarians who have lost their jobs during the course of the past year, since your government tabled its last budget. I want to draw your attention to a very important report that was released recently by the city of Ottawa. They had some work done with respect to consulting the international high-tech community. Of course that's part of the knowledge economy, and those industries are going to drive growth in the new economy. They asked executives in the international high-tech sector, "What is it that you look for before you decide to come and invest in an Ontario community?" Do

you know the number one thing they're looking for, the key desired attribute? It was a skilled workforce. Out of 20 parameters, tax rates came in ninth. Ahead of tax rates were—and these are high-tech executives—clean air, safe drinking water, investment in post-secondary institutions, leadership in research. Those are the kinds of things that are going to make Ontario truly competitive.

So I'm asking you, Minister, why are you hell-bent on proceeding with \$2.2 billion in corporate tax cuts, when it's going to compromise what really makes Ontario competitive?

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**Hon Mr Clement:** Of course those issues are important, but that's within the context of the fact that we have instituted 166 tax cuts. If Dalton McGuinty's Liberals were in power, none of those tax cuts would have occurred and perhaps something else would be higher on the agenda of the high-tech firms in his riding.

We know for a fact that the record of Dalton McGuinty has been clear and clear and clear again. As far back as 1998, he is quoted as saying, "I am not the tax cut guy." He's true about that: he is not the tax cut guy. He has never voted for a tax cut, he is not in favour of tax cuts, he does not believe in our competitiveness, in our productivity, in the job growth that we have created in our province through the blood, sweat and tears of hard decisions that had to be made, creating economic opportunity for every Ontarian, regardless of station in life.

That has been our record. We will not shy away from that record, because the record speaks for itself in terms of results, jobs, opportunity and a better economic future for every man, woman and child in this province. That's a record that we are very proud of.

## HEALTH CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Health. Minister, the failure of the Liberals in Ottawa to follow through on their commitments for a national pharmacare drug plan and a national home care plan is a problem across Canada. But I have to ask you, is that any excuse to go out there and threaten the frail elderly across Ontario and those who rely upon the Ontario drug plan? That's what you're doing.

So I'm going to ask you for a commitment today. I'm going to ask you to commit that home care will not be cut any further, that the Ontario drug plan will not be cut any further and that you are prepared to support now and for the term of your government the principles of the Canada Health Act.

**Hon Tony Clement (Minister of Health and Long-Term Care):** It is absolutely accurate to say that we are trying to save the Canada Health Act from the depredations of the federal Liberals. To have the honourable member and his caucus on our side would certainly be helpful.

We have been adding to the health care budget in record amounts: \$6 billion out of \$6.8 billion that we

have added to spending in this province has gone directly to health care over the six and a half years of our power. I would say that that will continue to be a top priority for this government. Year in, year out, the amount of money we spend on health care increases.

During the 1997 election campaign, the federal Liberals promised in their red book, "All Canadians have access to medically necessary drugs within the public health ... system." Nothing has happened; complete and utter silence on a red book promise going back to 1997. That's the record of the federal Liberals.

We're trying to do all we can to save the Canada Health Act, to save accessibility, to save universality. We need the help of all members of this House. We're not getting it from the provincial Liberals. Perhaps the honourable member can oblige us on his side.

**Mr Hampton:** Minister, the Liberals in Ottawa have been breaking their commitments on medicare for years; that's an old story. But the issue in Ontario is this: at a time when home care needs new investments and the Ontario drug plan needs new investments, your government strategy is another \$2.4 billion in corporate tax cuts, a \$300-million tax break for private schools and another \$1-billion tax cut for high-income earners; \$3.7 billion in tax cuts. Even the Minister of Labour, who sits next to you, says that it makes no sense, when health care needs those injections, to be cutting \$3.7 billion from corporate and income taxes.

So I'm going to ask you again: commit to the Canada Health Act and stop your reckless tax cuts, which make no sense even to your cabinet colleague, and put the money into the health care system.

**Hon Mr Clement:** Again, for the record, obviously our increases to home care have been part of the public record: 72% over five and a half years. The drug benefit plan has increased every year. Hospital expenditures have increased to \$8.6 billion, which is a record amount. Our record is there, but there is a growing consensus within and without this province that the real culprits are the federal Liberals. I cite three sources:

Dave MacKinnon, president of the Ontario Hospital Association: "Federal funding has not kept pace with need.... Federal funding of public health care spending in Canada was 15.8% in 1992-93 and is now only 12.3%." In their submission to the Romanow commission, the Canadian Health Coalition and the Canadian Labour Congress say, "The need for the federal government to fully assume its responsibilities in respect to health, particularly by restoring and increasing federal transfers" is their position. My favourite is Sharon Sholzberg-Gray, the wife of the Liberal Deputy Prime Minister, who called upon the federal government to increase their contribution to federal-provincial transfers on health care by at least \$2 billion. I agree with the wife of the Deputy Prime Minister. I don't agree with the leader of the official opposition.

**Mr Hampton:** I say to the Minister of Health again, the fact that the Liberals in Ottawa have broken their commitments on medicare time and time again is old news. The issue here is that if you want to put a respon-

sible argument before Ontarians and Canadians, don't on the one hand cut \$3.7 billion in tax revenue and then on the other hand say you simply don't have any money to invest in health care. That makes no sense. Finally, don't try to frighten and threaten the frail elderly in this province and those people who rely upon the Ontario drug plan. That's exactly what you're doing.

Stop the reckless tax cuts, commit to the Canada Health Act, commit to the golden charter that New Democrats have outlined for you, and then you can make the case to Ottawa and shame them into following up on the commitments they've made and have failed to deliver on. Will you do that?

**Hon Mr Clement:** For a leader of the third party who for weeks on end—it seemed interminable at some points—was advocating a sales tax cut for Ontario, he has quickly changed his tune all of a sudden. He's back on the old and tired rhetoric of how they opposed every single one of our tax cuts.

Our tax cuts, 166 of them, create jobs. They create economic activity. They create economic opportunity at the low end of the pay scale as well as at the high end of the pay scale. We are proud of those tax cuts. It is part of our record that has created over 800,000 new jobs for Ontario. It's how we pay, through more economic activity—which incidentally is taxed—for our health care, for our safer streets, for equal access to an excellent education. That has been our record. We are proud of that record. We are proud of the results it has shown for the people of Ontario. If we only had a federal government that would live up to its responsibilities, which they have shirked year in and year out, then health care in this province would be assured for many years to come.

#### COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. The controversy surrounding Hydro One is becoming humorous because on the one hand we have Eleanor Clitheroe, the head of Hydro One, who defies everything you've said in this Legislature. Her vision is that Hydro One would become a transnational company and would be delivering power all over North America, selling Ontario power into the United States. We know what that means: Ontario residents would have to pay the American price—in other words, 70%, perhaps 100% more than what they're paying right now.

Minister, will you finally admit that is the strategy of the people you've put in charge at Hydro One and at Ontario Power Generation? Will you finally admit that that will mean much higher electricity rates for Ontario residents and for Ontario industry, and will you do the right thing and simply say that the answer is don't privatize, don't deregulate our electricity system?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** The honourable member has two issues mixed up: deregulation and entering into competition in the electricity sector. It has nothing to do with Hydro One in the regulated monopoly wires business, of which

Floyd Laughren is in charge. It's hard to answer such hypothetical nonsense given the honourable member doesn't know what he's talking about.

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**Mr Hampton:** Ernie Eves, to whom you might want to talk one of these days, certainly knows what I'm talking about, because he has said that the whole issue of privatizing Hydro One is a very serious one that should be debated over the next four months. So you might want to talk to the, perhaps, next Premier of Ontario before you give such a flippant answer.

Whether Hydro One is owned by international energy companies or whether it is operated as a non-profit in Ontario, the reality for Ontario consumers is that British Energy wants to export power. They have said so. Other international investors who are interested in buying up OPG want to export power. They have said so. You know that the reason they want to export power into New York, Chicago, Detroit and Boston is because they can get a much higher price there. Are you telling Ontario residents they will have to pay the same high price to keep their power? That's what it means and you know that's what it means. What does that mean for Ontario jobs? What does it mean for Ontario industries? What does it mean for Ontario—

**The Speaker (Hon Gary Carr):** The member's time is up. Minister?

**Hon Mr Wilson:** To respond, if the honourable member wants to talk solely about the future of Hydro One, then Ernie Eves is absolutely correct. It's a monopoly wires business and it has nothing to do with opening up a competitive market, which is the generation side of the business. Again, that monopoly wires business was never regulated in the past. We are regulating it now under the Energy Competition Act, 1998. Floyd Laughren and the Ontario Energy Board, on behalf of consumers and in the best interests of the people of Ontario, now fully regulate the line charges, as the CRTC regulates Bell's line charges on its wires and the OEB regulates the gas line charge on the gas pipeline that's in the ground in the province of Ontario. So I hope he understands that.

Secondly, in the four days this summer when we didn't have enough electricity in this province because we hit peak high temperatures and all the air conditioners were running, we had to buy power. Guess where the most expensive power came from? Not the United States, at \$38 a megawatt hour, but Quebec, at \$1,000 a megawatt hour. I had to pay \$7 million one day to keep the air conditioners on in our hospitals. That was highway robbery. Competition will give us more choice and will give cheaper power to the—

*Interjections.*

**The Speaker:** Order. New question.

#### GOVERNMENT ADVERTISING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Chair of Management Board, but may I say in passing that it is my hope that the Minister

of Energy will be staying away from the nukes over the course of the next couple of hours.

**Hon Brad Clark (Minister of Transportation):** Is that a shot?

**Mr McGuinty:** Yes, that was a shot.

Minister, last month you promised that new rules would stop taxpayer-funded partisan advertising from filling our airwaves. Clearly, they haven't. Over the course of the past few weeks, Ontarians have been subjected to a veritable carpet-bombing of education ads over the airwaves. Those ads are breaking your new rules in five separate ways. Most important, they are partisan, they are wrong, and you know and I know and Ontario taxpayers know that those dollars could be put to a much better use.

Tell me, Minister, why did you break your own rules and allow these partisan government ads on the air?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** Mr Speaker, you'll forgive me if I don't take the analysis of the leader of the official opposition. The government has a responsibility to inform the people of Ontario of many of our programs. We want to make it as easy as possible for people across this province to access information about the government.

Most of these government publications, if not all, provide valuable information. I point again to some of the publications we have had. On magazine is a very good example. We have had a number of programs that we have been able to explain. We used them for surveys going back to the public. That's certainly part of the throne speech commitment to actually converse and to interact with the public of Ontario. We've given them the means to do that. Certainly they can't do it unless they're being informed.

**Mr McGuinty:** Minister, why don't you admit that you can't even honour your own rules? You refused to pass my bill, which would allow an independent, objective third party, ie, the Provincial Auditor, to pass judgment on these ads and determine whether or not they're in the public interest or the interests of your party. You can't do that and you can't even honour your own rules.

You ran more ads during the Grey Cup than the beer companies did. Those ads are partisan and they're breaking your own rules. Listen to some of the self-congratulatory partisan rhetoric: "For six years Ontario has worked to raise education standards. Higher standards are putting our kids first." You go on to make a specific reference to building a stronger economy.

Minister, your rules are obviously a joke. So far, you have spent 234 million—not taking into account the cost of this recent advertising blitz—taxpayer dollars which could have been used to buy textbooks for our children and their schools, to get more hospital beds up and running in Ontario and to get more environmental inspectors up and on the job in Ontario.

I ask you again, Minister, why won't you pass my bill? Let's put an end to partisan political advertising in Ontario once and for all.

**Hon Mr Tsubouchi:** I would thank the Leader of the Opposition for actually saying those words. I think they're very important things to say. We have worked very hard to raise standards in education and we are putting children first as a result of these higher standards, so I thank you for continuing this conversation with the public of Ontario.

But getting to the point at hand, we brought in these changes to the directive. This is in direct response to the Provincial Auditor's concerns.

*Interjections.*

**Hon Mr Tsubouchi:** I must say this, and I hear a lot of groaning on the other side from the opposition members: the fact of the matter is that they had an opportunity to do these types of important amendments to the directive while they were in the government. They chose not to do that. We responded directly to the Provincial Auditor and the concerns he had. I believe we have done something very positive.

#### MINOR HOCKEY

**Mr Norm Miller (Parry Sound-Muskoka):** My question today is for the Minister of Tourism, Culture and Recreation. At this time of year many families in my riding, Parry Sound-Muskoka, including three of my own children, Renée, Stuart and Winston, are involved in that great tradition of minor hockey. Volunteer coaches, trainers and parents donate a great deal of time to make sure their kids get the most out of their hockey experience. Parents work hard to give their kids an opportunity to play, driving them all over the province, getting up early to go to those early-morning practices and helping with team responsibilities.

But increasingly violence, both physical and verbal, is becoming a greater concern. I was pleased to see that last week you announced an initiative to curb violence in minor hockey. Could you provide more details on this initiative, please?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I appreciate the very good question from the member for Parry Sound-Muskoka, one of many members of this government who are strong supporters of amateur sport in Ontario to help keep kids fit, to have fun, to develop skills and to encourage teamwork and friendship.

Just last week, one particular program I had the pleasure of launching at the Hockey Hall of Fame with Ron MacLean, the co-host of Hockey Night in Canada, is called Goodsport: the True Spirit of Hockey. The goal of Goodsport is to bring good sportsmanship and respect to the arenas, back into minor hockey, and to create a safe and enjoyable environment for youth hockey players to hone their skills and see their skills flourish.

Players, coaches, parents and referees are asked to participate in the Goodsport program, and with funding of \$250,000 from the province and the work of the Hockey Development Centre, we're going to bring this to arenas from Fort Erie to Fort Frances, right across Ontario.

**Mr Miller:** I know from my own experience as a coach, trainer and parent that hockey teaches great lessons in teamwork and discipline along with skills like skating and stick-handling. We don't want to see these lessons ruined by violence.

Minister, I have certainly witnessed first-hand overzealous spectators yelling at officials and ruining the experience for participants. How will this program help players, parents, coaches and officials work together to create a better and more enjoyable environment in minor hockey?

**Hon Mr Hudak:** The member makes an excellent point. Violence, verbal abuse and harassment of players and referees are a growing concern in minor hockey across the province. We want to take them out of the arena and create some room for the true spirit of the game, the skills development and the fun of the sport to flourish. I know the member for Oshawa, Mr Ouellette, a five- and six-year-old instructional coach as well, will tell you the number one reason why referees are leaving the sport is because of verbal harassment from fans and other coaches.

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The province of Ontario and the Hockey Development Centre have engaged players, coaches, fans and parents who are awake at the crack of dawn to take their kids to practice on a regular basis to help to create a code of conduct to use as examples to support sportsmanship. We want to create more Lady Byng-type players like Wayne Gretzky and Stan Mikita and Joe Sakic.

The one important element of good sport is to encourage parents, coaches and officials to sign a good-sport contract to imbue respect for sportsmanship, for safety, for healthy competition, as I said, from Port Colborne to Port Loring and all arenas across this province.

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr Mario Sergio (York West):** My question is for the Minister of Consumer and Business Services. LCBO outlets in Ontario are selling items and articles such as kitchenware and household goods that are totally unrelated to the sale of alcoholic products. Merchants operating small businesses in small, rural towns in our province are being severely affected by the competition they are facing from their own local LCBO outlets. I don't have to tell you, Minister, that it's very tough to survive as a small business today and the last thing that small entrepreneurs need is competition from their own provincial government.

With the slowing economy, small merchants are looking to the holiday shopping season for some much-needed relief. Will you today tell the House and assure small business owners in Ontario that you will stop competing with small business and sell only related products at the liquor store, which is wine, spirits and liqueur, and stop competing with the small merchant in rural Ontario?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** I'd like to thank the member opposite for the question, because it certainly isn't the intention of the LCBO to go into competition with small business. In fact, I was in the riding of Chatham-Kent last week and was approached by a small business person who is involved with a competitive product with what the LCBO is doing. He had a word with the chairman, Mr Andy Brandt, and as a result of that conversation Mr Brandt withdrew a particular product that was in competition with the small business.

So if the member has specific complaints about specific products in specific areas, please forward them to me, and I will assure you that Mr Brandt will view those with an empathetic eye.

**Mr Sergio:** Not only will I do that, I will bring that to the attention of the minister.

But let me tell you that last year LCBO stores had some \$6 million in sales of unrelated items, which is \$6 million siphoned off from small businesses into provincial coffers. The mandate of the Liquor Control Board of Ontario is to monitor and control the sale of alcoholic products, not to compete with small retailers. You cannot allow this to continue. Either put a stop to this practice immediately or allow the retailers and other small merchants to sell alcoholic products. You have the responsibility to stop the abuse of power and monopolization. Small businesses need protection, not more competition. I call on you to stop the cash grab and assure us that you will do it today and declare that the only things the LCBO can sell are liquor-related items.

**Hon Mr Sterling:** I met recently with the Canadian Federation of Independent Business, and they did not mention this as a significant issue with regard to some of their clients, and they represent many of the small retailers.

This party is more sympathetic to small business than any other party in this Legislature. Let us be clear about that. If small business comes to me or any other minister in this government and has a legitimate complaint, we will look at that complaint and we will deal with it in a speedy fashion. There's no intention in the LCBO in terms of taking over business from small businesses in various communities across Ontario. So as I said before, give me the particular situation, give me the product and we will take care of it. We will take care of small business, as we have in the past.

#### NUTRIENT MANAGEMENT

**Mr Ernie Hardeman (Oxford):** I have a question for the Minister of Agriculture, Food and Rural Affairs. First of all, I want to thank you for coming to Oxford county last week to make a major announcement about manure management in the agriculture industry. It was a major project at one of the larger farming corporations in my riding. It was at the establishment of Cold Springs Farm in Thamesford. Unfortunately I was unable to attend, so today in the Legislature I want to recognize his visit. I appreciate the comments he made. Oxford is a county

economically bound by the agriculture business and will undoubtedly benefit from this project. Minister, could you tell me what the project will do for farmers to reduce the use of land application for the management of manure?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member for Oxford for the question. As the member knows, farmers are the original stewards of the land and they care deeply about taking care of the resources they depend upon on a daily basis.

Yes, I had the opportunity to be in Oxford last week, over at Cold Springs Farm where they run a very impressive and very environmentally responsible operation. They have some innovative ideas in terms of developing technology in the handling of nutrient management. We've partnered with them and with Ontario Pork, Premium Pork, the Ontario Pork Industry Council and Selves Farms, which are investing with us to explore new technologies to better manage manure.

This is a \$352,000 project that reviews a variety of innovative manure management technologies to protect surface and groundwater, improve air quality, increase the value of manure as a nutrient by-product or an energy source, and reduce the amount of land required for manure spreading adjacent to livestock. Our role in this is \$222,000, a little over one half of the project.

**Mr Hardeman:** Minister, it sounds like a very impressive project. The mayor of Zorra, I believe, attended the announcement. Mayor Bill Semeniuk said, according to the newspaper report, that "the agriculture sector has been struggling with alternative uses for manure, hoping to find some use for it that would also be an economic benefit." Recognizing that there is a group of partners involved in this initiative, could you tell us how other farmers will benefit and how they will find out about this project and the results it produces?

**Hon Mr Coburn:** We have partnered with a number of exciting projects and partners across Ontario through the Healthy Futures program, and this is one of them as well, where the results of some of this new technology and our studies will be there as information for others in the agriculture industry to benefit from. I'm pleased to say that a report on this project will be written once the technologies have been evaluated. It will be made available to producers and farmers to help them decide what type of system they're better capable of working with. The industry partners will explore opportunities to provide demonstration projects as well on exactly how the technologies work.

This is another example of how we're trying to work with our partners in agriculture and agribusiness in developing new and innovative technologies to handle some of the challenges we have with our environmental concerns.

#### SCHOOLTEACHERS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Education. Your scheme to force teachers to recertify is nothing but a bureaucratic

plan designed once again to attack teachers. Thousands of teachers from across the province have written to say just that.

But worse, your recertification plan is going to mean a \$10-million, 110-person bureaucracy, created yet again in downtown Toronto. Elementary teachers have put forward a proposal called the accountability model that would provide improvements in teaching from the ground up in communities across Ontario, instead of creating another bloated bureaucracy here in Toronto. Why don't you listen to educators instead of creating yet again another top-down bureaucracy that will only, in the end, attack teachers another time?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I'm actually rather surprised at the leader of the third party, who was part of the NDP government that brought in the Royal Commission on Learning that recommended five-year recertification and mandatory professional development. Now the NDP is obviously opposed to it. All three parties supported that recommendation.

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We went to the people of Ontario and said, "If we are elected, we will do that." We were elected and we're delivering on our promise to make sure that all of our teachers in our classrooms can be as up-to-date as possible, recognizing that teachers are out there doing professional development. They see it as part of their commitment to the profession, and we need to make sure that all of our teachers can do that. So another promise made, another promise that we are delivering on.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Rosario Marchese (Trinity-Spadina):** Madame, you are very big on cutting red tape and you're equally big on attacking others for supporting bloated bureaucracies, but when you do it you call it efficiencies. How does that work? What you're creating here is a \$110-million bureaucracy in downtown Toronto. How can you justify it when you're so big on saying, "We've got to cut red tape"?

Michael Fullan, the dean of the Ontario Institute for Studies in Education, said that your recertification plan is like a company keeping excellent books when it's going out of business. It makes sense.

We have received thousands of letters from teachers—hard-working heroes in our schools—who are telling you that they cannot take yet another public attack from you. The solution to this problem is that you've got to start listening to educators and to communities that listen to teachers. Will you listen?

**Hon Mrs Ecker:** This government did indeed listen. We listened to the Royal Commission on Learning that went out and consulted with educators, with parents, with students. We looked at the best research. We've listened to that. We've looked at the recommendations of all our education partners. We've listened to that. We listened to parents and students who said this was a step that was needed. We went out and said to the voters, "If we're elected, we will do this." We have been elected; we are

doing it. We've taken the advice of all our education partners to put in place a professional development requirement that reflects best practices and best research.

Why is it an attack on teachers to have professional development requirements that are in place for all kinds of professions, jobs and trades across this country, across this jurisdiction? Why is it not an attack on police, on insurance agents, on real estate, on doctors, on nurses, on dentists, on physiotherapists, on massage therapists? The list goes on and on of professions and jobs and people out there who have various kinds of professional requirements—

**The Speaker:** The minister's time is up.

### SCHOOL BUSES

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is also for the Minister of Education. The minister will know from having listened to rural members on both sides of this House that school bus operators in rural Ontario are facing ever more difficult, nearly desperate circumstances. Six weeks ago in this chamber you, Minister, told me and the Legislature that you understood there was a problem. To quote you from the Hansard of October 11, "We are looking at this and it is a priority." That was October 11.

Since that time, most of these rural school bus operators have been told by their insurers that their school bus insurance is going up in some cases by almost 100%. These rural school bus operators want to know, Minister, when are your ministry and your government going to provide the much-promised and desperately needed relief?

**Hon Janet Ecker (Minister of Education, Government House Leader):** The honourable member is quite correct: this is a priority for this government. We quite recognize the pressure that is there for school bus operators. We've been able to provide monies on a one-time basis before while the transportation formula, the new policies on transportation, is being developed. We have that as a request before the government to see if we are able to do it again this year.

The financial pressures this government is facing, as we've talked about very clearly, are causing us to have due diligence for a whole range of areas. It is certainly not by choice, but I think the taxpayers in this province would require us to exercise that due diligence. We are indeed doing that before those decisions are made.

**Mr Conway:** As a former minister of the crown, I understand the pressures and I believe the choices, but we have been told in this province just as recently as this week that the Harris government has decided, with the full support of cabinet, to proceed in a few weeks with opening the public purse to tens of millions of dollars of public money to support kids of parents who want to send those children to private schools. That is a significant new expenditure that the Ontario government has decided, in the face of the very pressures you have just announced, to proceed with.

As winter sets in in Ontario, in the Ottawa Valley I've got thousands of young people who on a daily basis are going to leave rural communities like Palmer Rapids, Calabogie, Wilno and Stonecliffe and drive over very difficult roads, in many cases two and three hours a day, to get to their public school. Their rural school bus operator is telling their parents, their teachers, their trustees and their local members that their situation is serious and almost desperate. It's a matter of good access and, increasingly, it's becoming a matter of the safety of those kids in rural Ontario.

You have clearly decided that you've got the money to fund the private school tax credit. On behalf of rural public school kids, Minister, when are you going to provide the much-needed and oft-talked-about additional financial assistance to rural school bus operators in Ontario?

**Hon Mrs Ecker:** I appreciate the concern as brought forward by this member and the members of our caucus who have been advocating very strongly on behalf of their school boards and on behalf of those bus operators who do indeed require relief, and I do agree with that.

The government is weighing the decisions on one-time funding for this, as we should, with the due diligence we are exercising in terms of making those decisions in this fiscal year. As soon as the decision is made—and I appreciate the pressure and the need for a decision quickly. If it could have been done quickly, we would have. I appreciate the concern of the honourable member. When that decision is made, we will certainly be communicating that to this House and communicating that to the bus operators and the school boards.

### WATER QUALITY

**Mr John O'Toole (Durham):** My question is to the Minister of the Environment. First, Minister, I'd like to personally congratulate you on a very successful celebration with the Ontario Environment Industry Association yesterday.

The Environmental Commissioner of Ontario stresses that in addition to being purified in water treatment plants, drinking water must be protected at the source. As you know, my riding of Durham includes the Oak Ridges moraine. The moraine contains the largest concentration of headwater streams in the greater Toronto area and acts as a recharge area for groundwater. Many constituents, such as Barb Karthein and Sandy Beaton of the Scugog Shores Millennium Project, have been working hard in their communities to protect groundwater.

Minister, you can well appreciate how important groundwater quality is to my residents but indeed across Ontario. How will your most recent announcement of flowing \$10 million to groundwater studies help to protect Ontario's drinking water, not just in Durham but across Ontario?

**Hon Elizabeth Witmer (Minister of the Environment):** The announcement that was made recently, the

\$10 million that is flowing to undertake the groundwater studies, is the first time we have undertaken such a comprehensive study of groundwater in Ontario. As the member has mentioned, many people in his riding do rely on groundwater, as they certainly do in my community. It's absolutely essential, if we're going to protect the quality and quantity of water in Ontario, that we take a holistic approach. That is, we need to make sure that not only is the water coming out of the tap clean, but we also need to ensure the water at its source, the groundwater, is thoroughly protected. The information we will obtain from the groundwater studies will enable us to determine not only the quality of water that is available to us but also the quantity of water.

**Mr O'Toole:** Thank you, Minister, for that very thorough response. Could you explain to the House how Ontario municipalities such as Durham region and our local conservation authorities will be involved in the process of studying groundwater? Also, how were the announcements received by municipalities across the province?

**Hon Mrs Witmer:** The money has flowed not just to municipalities, but money flowed to those municipalities that obviously had great reliance on groundwater. It also flowed to those that were willing to work with other municipalities and with conservation authorities. All of the money will be made available and will have been released by March 2002. The money is presently being released. As I say, it is the largest amount of money ever.

I would just like to quote Dennis O'Grady, the general manager of the South Nation Conservation Authority in Cornwall, who said, "This is the first time in at least 20 years that a comprehensive study has been carried out. In some parts of the region, there may have never been studies carried out." In Owen Sound, the director, Jan McDonald, said, "We are thrilled. How often do municipalities get 85% funding?"

This is another step that our government is taking in order to ensure that water in this province is protected and safe.

1500

#### HOSPITAL RESTRUCTURING

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** My question is for the Minister of Health. Mr Minister, on November 15 you joined me in the riding with our local health care providers on the topic of hospital restructuring. In 1998, your hospital closing commission rejected local solutions and we were forced to close one of our hospitals for acute-care patients and undertake expensive renovations to the other. Since that time, the cost has skyrocketed to some \$20 million-plus. You forced this on us; you should pay for it.

Minister, when you were in Cornwall you had no answers and no new money. Do you now? If not, will you have some answers before Christmas?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the opportunity to discuss what I thought was a very important meeting in his community which he invited me to. I think I actually paid the bill for the breakfast though, so I guess we got a little bit out of it that way. In any event, it certainly was a very fruitful meeting. From my perspective, it was very important to have the mayor and the local reeve there, and some of the local civic leaders as well as local providers.

What I heard loud and clear was a pride in the local community, a pride in what is possible when it comes to the delivery of health care and an indication that they understood that they had to participate in creating better health care in their community; that it all couldn't come from Queen's Park, that there was a local desirability and a local responsibility as well, particularly from the mayor, if I may say so. I've taken all of those issues under advisement and I can tell the honourable member that I came out wiser than when I entered that discussion.

**Mr Cleary:** Well, Minister, that's not good enough.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order, please. Sorry.

**Mr Cleary:** This has been going on for three years. The cost associated with this forced restructuring has climbed and the local taxpayers are the ones that are facing the burden. As it stands now, this will result in a 20-year property tax burden to my constituents of \$20 million-plus. I can tell you, I haven't heard one constituent yet say they were in favour of that tax increase. If the province makes a decision, it should pay for it.

Minister, how much longer are you going to force citizens in my community to wait before you admit you were wrong and give them the health care funding they deserve?

**Hon Mr Clement:** I'm sorry I'm not living up to the honourable member's expectations—it's a good thing we weren't going for dinner. From my perspective, in all seriousness, what we discussed, I think, was highly significant. There was an acknowledgement of local participation, not only in terms of finding the solutions but also paying for those solutions, which incidentally is the case in every other community in the province of Ontario.

When we do these restructurings, when we do these additions to hospitals or brand new greenfield sites, there is always a local participation. Sometimes it is done through local philanthropy; sometimes it's done through the local tax base; sometimes it's a combination of the two. From our perspective, there is no requirement that it be from the local tax base, but there is a requirement that the local community participate in the decisions that have been made. Certainly I found from his community that that was the case, and certainly we wish to come to a mutually understandable and sustainable solution with respect to his local community. The discussions are ongoing and I certainly appreciate the local member's participation in those discussions.

## ONTARIANS WITH DISABILITIES LEGISLATION

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Minister of Citizenship.

Minister, during second reading debate in the Legislature last week, opposition members argued that the Ontarians with Disabilities Act will have no effect on the private sector. The Liberals went to the Ontarians with disabilities action committee and held consultations of their own, but I have yet to hear from the Liberals what recommendations they have of their own. In the House, the Liberals say Bill 125 should include legislation that imposes sanctions on the private sector immediately. Do you have any idea where the Liberals stand on the ODA?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** Like all members of the House, I listened to the debate from the Liberals across the floor and—

*Interjection.*

**Hon Mr Jackson:** Well, you ask the questions. That's what you're supposed to do. You're not asking any questions on the ODA. People in Windsor kind of like the program.

What we have heard from the Liberals is the following: first, they did an Ontarians with disability review and never talked to the private sector, never talked to hospitals. They talked to a handful of disabled persons and promised them nothing. They didn't promise anything in the last election and they still, with this bill on the floor of the Legislature, have not made one promise to the disabled community. Yet they're out there throwing around comments, like the member for Ancaster-Dundas-Flamborough, who says, "I don't care what this costs. The taxpayers should pay for it." The member for Windsor-St Clair says, "You're going to have to wait two years" to hear from the Liberal Party and where they stand on the disabled and the disabilities issues. All we've heard from the Liberals is that there is no commitment from their consultation, they want to delay the agenda of reform in this province and they want to play politics with the needs of the disabled.

**The Speaker (Hon Gary Carr):** Supplementary?

**Ms Mushinski:** My question is again to the Minister of Citizenship. Opposition members have also suggested that Bill 125 should be put on hold while further consultations take place. Interestingly enough, this Liberal opposition tactic coincides with concerns expressed by the Ontarians with Disabilities Act Committee, who wanted this act passed by November 23.

Minister, disabled persons in my riding of Scarborough Centre have told me that they want us to get on with this legislation and the disabled community council wants to work with government partners, especially municipalities, to implement the regulations. Notwithstanding that the Liberals want to delay, delay, delay, how soon can this government get the ODA up and running?

**Hon Mr Jackson:** As members of the House know, the committee of the Legislature is going to five different

cities in the province to conduct the reviews and public hearings on the bill. We hope to have the bill back here for clause-by-clause and a bill for third reading in the House in December so that we can complete this legislation as promised to the disabled persons.

I want to remind members of the House that the bill contains, in section 22, 10 specific clauses with respect to regulatory and regulation-making authority put in the hands of the disabled community, who will advise the government on making those regulations. It's the seventh principle of the eleven principles of the ODA resolution stated in this House. These regulations will be developed by the disabilities community. We hope that this will be proclaimed by the end of the year and hopefully then the first elements to be proclaimed in this legislation will be the regulatory power and the new—

**The Speaker:** The minister's time is up. New question.

## SPECIAL EDUCATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Education. The Keewatin-Patricia school board doesn't have sufficient money in their budget to provide special education to all the children who need it, so they have followed the lead of your government and they have cut the hours of work of special education assistants from seven hours a day to five hours a day. The result is special-needs children are being hurt, their needs simply aren't being met and the special education assistants, librarians and other school support staff have been forced out on strike over issues of working conditions and pay.

The question is, when will your government fully fund special education in this province so that the special-needs children will receive the education they deserve and the support staff and special education assistants will receive the respect and dignity they deserve?

1510

**Hon Janet Ecker (Minister of Education, Government House Leader):** Special education is indeed a very important priority. Those supports can help a student to succeed, to overcome a potential challenge. It's one of the reasons we've been increasing special-needs money for school boards every year. For example, we've had a 17% increase in special-needs funding.

The school boards are funded based on their enrolment growth based on their assessments. There's a whole range of things. We've also built in guarantees to school boards so they have some predictability in terms of what their funding will be. I do know there have been some school boards that, in terms of their funding, have to live within a budget and school boards have been making decisions about how to allocate staff, how to pay for pay raises. Sometimes those things are related in terms of increasing pay, sacrificing in terms of the number of staff that are available. Those are judgments that trustees are elected to make and that they indeed make.

## PETITIONS

## LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned" 1,000 residents of Port Burwell, Alymer and other parts of southwestern Ontario, "petition the Ontario Legislature to demand the Harris government take immediate action to ensure these important health services are maintained so that the health and safety" of the 1,000 people listed on this petition "throughout southwestern Ontario are not put at risk."

I'm in full agreement and have signed my signature hereto.

## INSURANCE CLAIMS

**Mr Dave Levac (Brant):** This petition comes from 578 different people in my riding of Brant and as far away as Waterdown, Ancaster and Waterloo.

"To the Legislative Assembly of Ontario:

"Whereas it behooves us to ensure the practice of justice in all cases, and for all persons; and

"Whereas the statute of limitations applies in cases where it has been impossible to tell for many years what the truth of an insurance claim was;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The laws concerning the statute of limitations for insurance claims should be suspended if it has been discovered that there was a possibility of evidence tampering and/or it is discovered that the case was investigated poorly, causing hardship to those who were wrongly blamed for a car accident."

I affix my name to this petition.

## TENANT PROTECTION

**Mr John O'Toole (Durham):** It's always important to stand and speak on behalf of my constituents. This petition was presented to me and I read it as regularly as possible.

"To the Legislative Assembly of Ontario:

"Whereas we the residents of 145 Liberty Street South in Bowmanville wish to continue to rent our apartments and are not interested in purchasing condominium units; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville have invested considerable amounts of money in decorating and upgrading our apartments; and

"Whereas we the residents of 145 Liberty Street South in Bowmanville were of the understanding that this was rental property, not condominiums;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to review this matter and request the Minister of Municipal Affairs and Housing or any other relevant ministry to investigate these concerns to ensure that we the residents of 145 Liberty Street South in Bowmanville can continue to rent their apartments."

As a follow-up on this daily petition, I've written to the Minister of Municipal Affairs. I have every confidence that he's listening to me. I've spoken with the residents of 145 Liberty Street South and I'm pleased to submit and sign this petition on their behalf.

## EDUCATION FUNDING

**Mr James J. Bradley (St Catharines):** "To the Legislative Assembly of Ontario:

"Whereas the Harris government's rigid education funding formula is forcing neighbourhood school closures"—potentially—"such as Consolidated, Dalewood, Lakebreeze, Maplewood and Victoria in the city of St Catharines, and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula is strangling the system and students are suffering the consequences;

"Whereas there is evidence that larger schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships; and

"Whereas small, neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature; I'm in complete agreement.

#### ADOPTION DISCLOSURE

**Mr Gilles Bisson (Timmins-James Bay):** I have a petition here and it's addressed to the Legislative Assembly of Ontario. It reads:

"Whereas in Ontario adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I affix my name to that petition.

#### LORD'S PRAYER

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislature of Ontario maintain the use of the Lord's Prayer in its proceedings in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I affix my signature.

#### MEDICAL SCHOOL TUITION

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas medical school tuition was deregulated by the Ontario government in 1998; and medical school tuition has and continues to increase in excess of 300% such that at some universities tuition is now \$14,000;

"Whereas the combination of excessive tuition and frozen student assistance have impaired students' accessibility to a medical education;

"Whereas the physicians most likely to practise in a rural area are originally from rural areas themselves; and

"Whereas unaffordable tuition disproportionately excludes medical students from rural communities;

"Be it resolved that we, the undersigned, petition the Ontario government and the universities of Ontario to ensure that medical education be made financially accessible to all qualified students; and

"Be it further resolved that we, the undersigned, request that medical tuition be capped and re-regulated at a level accessible to all Ontarians, and that the Ontario student assistance plan/Canada student loan program be adjusted, in order to ensure that Ontarians from all communities are able to afford a medical school education."

This petition is signed by a number of residents from Leamington and I'm pleased to hand it to a very dedicated page from Leamington, Kathryn.

1520

#### ADOPTION DISCLOSURE

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin; and

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child; and

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario; and

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees,

adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; and replace mandatory reunion counselling with optional counselling."

On behalf of my NDP colleagues, I add my name to this petition.

### CORMORANTS

**Mr Jerry J. Ouellette (Oshawa):** I have a petition that reads as follows:

"Whereas the Ministry of Natural Resources is in year two of a five-year study on the impact of cormorants and possible management strategies which was to have included experimental controls beginning in 2001; and

"Whereas recently the Minister of Natural Resources, the Honourable John Snobelen, reiterated at the Ontario Federation of Anglers and Hunters' annual general meeting and wildlife conference that the MNR is committed to experimental control of cormorants at specific local sites in 2001; and

"Whereas cormorant populations in Ontario have increased to over 260,000 birds in the past several years and will continue to grow until they deplete fish stocks; and

"Whereas cormorants are having obvious local negative effects on fisheries and habitats within the Great Lakes; and

"Whereas cormorant populations are no longer in need of special protection;

"We, the undersigned, petition the Ministry of Natural Resources to:

"(1) Immediately begin to significantly reduce cormorant populations where there are local habitat or fisheries effects and to make public the experimental design and results to date of the MNR's five-year study to assess the impact of cormorants; and

"(2) Remove the special protected status from cormorants."

I affix my signature in support.

### AUDIOLOGY SERVICES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I have another thousand signatures from the following communities. I'll be very quick, because I've written out the names: Bath, Kingston, Odessa, Napanee, Enterprise, Newcastle, Bowmanville, Whitby, Penetang, Orléans, Gloucester, Kirkfield, Port Stanley, Tillsonburg,

Washago, Cucumber Beach, Sturgeon Falls, Lively, Bramalea, Stoney Creek, Pickering, Ajax, Smiths Falls, Brockville, Kanata, Bradford, Keswick, Owen Sound, Orangeville, Shelburne, Wasaga Beach, Terra Cotta, Ottawa, Bobcaygeon, Parry Sound, Windsor, West Lorne, Rockland, Clarence Creek, Renfrew, Kingsville, Belle River, Stoney Point, Staples and Osgoode. They're from all over Ontario and they've asked me to present on their behalf.

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I sign that, knowing that those who have ears to hear will hear.

### OHIP SERVICES

**Mr Gilles Bisson (Timmins-James Bay):** I've just got to say that's a good petition. I have another petition here on a different matter, and it reads as follows:

"To the Ontario Legislature:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions"—such as mine—"of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy" and other "nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long;

"Whereas delisting these services will have a detrimental effect on the health of Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned," and many people from our communities in the Timmins-James Bay riding, "petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I affix my signature to that petition.

**The Acting Speaker (Mr Michael A. Brown):** On a point of order, the member for Wellington-Grey—

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** That's good enough. Mr Speaker, I was going to stand up during the time for petitions, but I waited until it was over. The member for Ancaster-Dundas-Flamborough-Aldershot, when he reads the petition, for two days in a row has read all the municipalities that he's reading the petition from. I don't, quite frankly, think that's in order, nor do I think it would be if he were to list all the names in the petition. Unfortunately, you were not in the chair when he was doing that; Mr Carr, the Speaker, was. I simply believe that it's out of order, and that in the future, whether it's you or the other Speakers, he should be ruled out of order.

**Mr Bisson:** On the same point of order, Mr Speaker: I just want to say I forgot to say that people signed from Smooth Rock Falls, Kapuskasing, Timmins, Hearst and Mattice.

**The Acting Speaker:** As members know, the standing orders speak to what is permitted during petitions, and it is very helpful if members would subscribe to the standing orders and not editorialize or read sections of the petition that are not relevant. As a matter of fact, if you were to paraphrase, which, I might say, is encouraged, and just get to the "be it resolved part," it is very helpful for getting more members on to the petition section of the day.

1530

## OPPOSITION DAY

### WALKERTON INQUIRY REPORT

**Mr James J. Bradley (St Catharines):** This is an opposition day of the Liberal Party. I move that the Legislative Assembly of Ontario offers its unequivocal support to the people of Walkerton who are calling on the Attorney General to release the report or reports of Chief Justice Dennis O'Connor on the Walkerton tragedy immediately upon their receipt.

**The Acting Speaker (Mr Michael A. Brown):** The member for St Catharines.

1530

**Mr Bradley:** I'm delighted, actually, that just having this particular item on the order paper has forced the government to agree that they will release it immediately. Usually, you have to fight against the government to get something released. I guess the embarrassment of having this on the order paper and the fact that the government knew it would have to vote on this has compelled the

government to agree with me, and I want to say I'm delighted. I'll look forward to the reasoning they will bring forward this afternoon in their speeches before the House.

But I do want to say that I had a genuine concern that somehow these people on the other side—and that includes my good friend from Gore, Malton, Springdale and other places—

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Bramalea.

**Mr Bradley:** —Bramalea—from all those places. I trust that he would want this report released immediately. There are others, however, within the cabinet who don't always agree with what you people in the backbenches have to say. So I am delighted that the government is stampeding now to agree with my contention that it should be released immediately. There is good reason to believe that this government would want to hide the results of this report as much as possible.

First of all, I should tell you, I'm going to compliment the government in this particular case on the choice of the commissioner, so get ready. I thought the choice of Justice Dennis O'Connor was a good choice as commissioner. In my opinion, I think the manner in which he conducted the inquiry was exemplary. I may or may not agree with the final conclusions and recommendations, but I do want to say that I thought that was a good choice, which the opposition obviously had to agree with or at least were asked about. We thought it was a good choice.

You will recall that the reason we even had an inquiry into the Walkerton situation was because the opposition demanded that inquiry in the Legislative Assembly and forced it upon the government. Initially the government was very reluctant to have an inquiry, but the pressure was building. Dalton McGuinty asked for it several times. Other members of the official opposition and the third party asked for it. I think members of the news media were demanding it and certainly the people of Walkerton. So it was appropriate to have a public inquiry into this matter, just as it would be to have a public inquiry into the Ipperwash affair, where the Premier, in that case, seems to be doing everything he can to avoid an inquiry into the Ipperwash situation.

We had that inquiry, and there has been much testimony—very revealing, I might add—about the negligence of the government in this matter. If you were to ask the bold question, "Was the government completely responsible for absolutely everything that happened in Walkerton?" I think you would not get a collective and unanimous yes in that case. If you were to ask the question, "Did the policies of this government increase the possibility of a tragedy such as Walkerton happening?" I think most people in this province who are fair-minded would say it did. Let me outline why I happen to think that is the case.

First of all, I want to say that my worry about when this was going to be released revolved around the fact

that one of the first hirings the government made after the Walkerton incident happened was Paul Rhodes. Paul Rhodes is a well-known government guru, media relations person, now in the private sector, making money hand over fist. Paul was hired to bail out the then Minister of the Environment, the Honourable Dan Newman. I think the contract was \$50,000, and that's one of the smaller contracts Mr Rhodes has had with this government or with government agencies. There was a worry that somehow this was going to spin out of control. It was his job to spin it back into the government orbit.

I even noticed, although it wasn't widely advertised, that Paul Rhodes was up in Walkerton when the Premier appeared on June 30 before the inquiry. That was, of course, the Friday before the long weekend and after the House had concluded its deliberations. Coincidentally, the Premier happened to be available on that occasion to appear before the inquiry. I'm sure that was strictly coincidental. It had nothing to do with trying to protect the Premier from further questions in this House or hoping that the public would be interested in going away on a long weekend.

I did see Deb Hutton up in Walkerton, and I said Paul Rhodes and others of the media relations types, the advisers on spin, were with the Premier. I'm sure there are those in government who said, "Let's find a convenient day upon which to release this report. We'll have to massage the message that goes out with it, first of all, and then we'll find a convenient time to release it."

That's why I thought it appropriate to bring forward this resolution, to get everybody on record as saying it should be released immediately it is available, on behalf of the people of Walkerton.

Walkerton and the tragedy that happened there—we call that Walkerton now; I guess people refer to it as Walkerton—was something that was almost bound to happen. It was bound to happen because of the kinds of policies the government had embarked upon, the kinds of policies the Minister of Labour, the Honourable Chris Stockwell, is talking about today in his leadership campaign. Mr Stockwell, you will recall, said yesterday he didn't believe that the government could invoke further tax cuts because the government was going to face a \$4-billion or \$5-billion deficit next year.

Back in the early days of the Harris government, they were so intent upon invoking and implementing tax cuts for the wealthiest people in this province that they were prepared to make substantial and damaging cuts to various ministries, including the Ministry of the Environment, to be able to give those tax cuts. So they had a combination: they first of all borrowed money to finance the tax cuts and made significant and substantial cuts to important ministries such as the Ministry of the Environment.

**Mr Rosario Marchese (Trinity-Spadina):** Can you believe that, Jim?

**Mr Bradley:** Of course, I can believe it because I know their ideology. One would think, I say to the mem-

ber for Trinity-Spadina, that one wouldn't want to believe something of that nature. But with this government I would certainly believe it because of their ideology and because of the fact that their policies are driven not by a practical sense, not even by common sense, but rather by ideology.

What we had was a situation where the Ministry of the Environment was almost the number one target of the government. That's understandable because there were a number of Tory candidates who were going around the province in 1995—probably none of them who are sitting in the House today—who were saying to some of their business friends, "Wink, wink, nod, nod. We'll get the Ministry of the Environment out of your face. Don't worry."

Do you know something? I want to give the government credit for keeping promises. That was one promise the government kept. Unfortunately, the consequences were dire for the people of this province and specifically for the people of Walkerton.

Let's look at what happened to the Ministry of the Environment. They cut, first of all, one third of the staff. Fully one third, 33%, of the staff was fired out the door—most unfortunate—out of the Ministry of the Environment.

**Mr Joseph Spina (Brampton Centre):** They went to—

**Mr Bradley:** The member for Brampton will have a chance later on to refute those comments.

Second, the budget was cut by 45% to 50%; I've heard higher than that. I have tried to say—

**Mr Spina:** It was transferred.

**Mr Bradley:** I don't think so. I have tried to err on the side of a conservative figure and I've tried to say 45%. But you cannot annihilate, you cannot pull apart a ministry, you cannot savage such a ministry with cuts without having dire consequences.

The Ministry of the Environment used to have a good overseeing role, an inspecting role, when it came to the provision of safe drinking water in this province. One of the first things they did was close the regional laboratories. The people who worked in those laboratories were considered to be among the very best in the country in terms of their ability, in terms of their qualifications and in terms of their job performance.

This government decided it would close those regional laboratories and turn the water testing over to the private sector. I disagree with that step. But let's put my disagreement with that step aside for a moment and say, if you were a government that was determined to do that, what you would do obviously is take some time to allow a transition and set up a protocol or rules for the private sector companies in reporting contamination that would be found in the water supply.

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I am convinced to this day that had the samples from Walkerton gone to a provincial lab—that is, one of the Ministry of the Environment laboratories—they would have immediately sounded an alarm, not only to the oper-

ator of the system but even more importantly to the medical officer of health, and perhaps lives could have been saved and perhaps several hundred people would have been spared the consequences of drinking poisoned water in Walkerton. But this government decided it was going to be more important to invoke tax cuts and make substantial cuts to the Ministry of the Environment.

Having been a Minister of the Environment in years gone by, I can tell members of the House that it is labour intensive by its nature. It requires the financial resources and the staff to be able to do its job appropriately. We were seeing massive, substantial and damaging cuts being made to that ministry.

The other factor is the Red Tape Commission. This Red Tape Commission has more power than many people would think. I can't think of a minister in here who likes the Red Tape Commission, because they're an outside group who make recommendations or force ministries to take certain actions. They seem to have it in for the Ministry of the Environment. Certainly that was the impression—if you were to talk to Ministers of the Environment off the record, I'm sure that would be the case, but also ministry staff. They had it in for that ministry. In fact, one of the co-chairs of the commission tried to interfere in a court case involving a waste management company. That, of course, was documented in the *Globe and Mail* article, and that was a very serious intrusion. A now-defeated member of the Legislature made representations on behalf of a company. My point is that the Red Tape Commission had it in for the Ministry of the Environment.

I'm not an unreasonable person, I don't think. I'm not a person who will stand in the House, point at the Premier and say, "Premier, you killed seven people," or "You were responsible for that many dead people." I would not do that.

*Interjection.*

**Mr Bradley:** I have not. As the member would know, I have never done that, nor would I. That's not my style. What I would say is that the policies of the Harris government contributed to what happened in Walkerton, partially through negligence and partially intentionally by dismantling the Ministry of the Environment, by proceeding with the privatization of the laboratories, knowing full well that the risk would be increased.

I was there for the questioning of the Premier in Walkerton at the Walkerton inquiry on June 30, and I remember the intense questioning that was directed at the Premier. On that occasion, it was clear that the government knew the risks were increased. In fact, they had two business plans: one business plan for the public, which said nothing about increased risks; and another internal business plan that pointed out that the risk to our drinking water, in terms of its contamination, would be increased by the government policies of the day.

The government was aware of outsiders making these charges. The opposition certainly had something to say about this and warned about the consequences of the government cuts. There are those on the government side

particularly, but in the public, who say, "Well, that's the role of the opposition. And while we don't always believe the government, we don't always believe the opposition either. Maybe it's somewhere in between; maybe one of them is right. I don't know." But I looked at what the Provincial Auditor had to say. The Provincial Auditor warned this government that their policies as they related to water quality were deficient and that problems were arising.

Two different Environmental Commissioners said the same thing. Erik Peters, who was the Provincial Auditor, said this. Eva Ligeti certainly had this to say when she was the Environmental Commissioner, and even Gordon Miller, appointed by the government—the former President of the Progressive Conservative Association in North Bay and the riding of Nipissing federally—had critical things to say about the government as relates to its water policy. So I believe Walkerton will be a matter of infamy for this government for some time to come. It is, in my view, a symbol of what happens when you have a government that so hates government itself, that so dislikes the public sector, that so wants to dismantle and denigrate government and the public sector, it's prepared to take drastic action that would put its people at risk.

Did the government deliberately do this, absolutely knowing it was going to end up with poisoned water? Of course not. Again, I'm not a person who makes silly charges against the government. But did it increase the risk of that happening? I think few people would disagree with that.

Dr Richard Schabas, who is the former medical officer of health of Ontario, also issued a significant warning. During the Walkerton inquiry there was testimony that was extremely revealing and condemning of the government's role, some from former members of the Ministry of the Environment, some from present employees of the Ministry of the Environment.

Let me quote from something Dr Schabas had to say that I thought was pretty revealing. By the way, if there are villains in this piece, there's somebody who was not a villain: it was the former Minister of Health, the Honourable Jim Wilson, because in correspondence he had with the Minister of the Environment he warned of potential problems, but those warnings were ignored by two different Ministers of the Environment.

Let's hear what Dr Schabas had to say. This is his testimony. It says, "The third meeting, which to the best of my recollection was at the end of May of 1997, I was actually in Montreal with the minister and with the deputy at a meeting of the federal and provincial medical officers of health, we were there to discuss the creation of the board agency, which I was very much involved with as a policy standpoint from the ministry, and we had a discussion that morning at which point the minister and the deputy both identified the fact that the proposed policy changes and legislative changes were going back to policy and priorities committee of cabinet that afternoon and there was not going to be anyone there to represent the viewpoint of the ministry or the viewpoint

of public health and there were a number of important issues that were still on the table for that day's discussion.

"So, at the direction of the minister, I came back, I missed the second half of the minister's meeting, came back to Toronto to attend the policy and priorities committee meeting, which would have been in the late afternoon, and the way these meetings work, there's a little ante room where all the civil servants who come in for selected items wait and we sat and waited—I sat and waited for the public health item to be called. When it was, I came in to the meeting and sat down in the appropriate chair for the table to prepare to discuss these issues, at which point an official assistant deputy minister in cabinet office came over and put his hand on my shoulder and said, 'Dr Schabas, the Premier doesn't want you here for this discussion.'" This is the chief medical officer of health of Ontario, and the Premier doesn't want him there for discussion.

Dr Schabas goes on, "So I was taken aback and started to express my concerns to him and then I looked and I realized that the Premier himself was sitting directly across the table from me so I turned and I addressed my remarks to the Premier and basically said that the Minister of Health has specifically asked that I be here, that these are important issues with regard to public health, they are important concerns, and that in my view it was very important that the viewpoint of public health be heard in these discussions and the Premier looked at me and I was quite certain was hearing what I was saying, we weren't more than a few feet apart, and then he basically turned away from me and, I mean, as far as I was concerned, the Premier was turning his back on public health and then I left the meeting and that was the last opportunity that we had to discuss these before these changes were made to the public health system."

Pretty condemning stuff. Dr Schabas is not a radical. Dr Schabas has served governments of all political stripes. He's extremely highly regarded for his integrity and his expertise and his concern for public health, and Dr Schabas in essence said that the Premier turned his back on public health that day, didn't want to hear what Dr Schabas had to say about the potential dangers to the public of the policies of this government. So that was pretty condemning, I think, of this government.

I guess what people were concerned about was that the government, when it finally made its decision to close those provincial laboratories, simply, like a bull in a china shop, headed right into the decision without looking at the consequences. Such a very short turnover time, no rules were put in place, and as a result we had a situation in Walkerton where key results of testing of the water of Walkerton were kept from the people of this province, particularly the people of Walkerton, because it was a private sector lab with no rules in place to notify the medical officer of health.

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I can say that there was so much testimony that was revealing that I'm going to find the results of this inquiry to be very interesting. I think it's going to be important to

note what happened and why it happened because it will reveal, in my view, the consequences of an ideological government that is not unlike the Davis government of which the Honourable Robert Runciman, a minister who is here this afternoon, was a member. But unlike the Davis government, this government was prepared to bulldoze ahead with radical changes. I think it could be said of the Davis government and some subsequent governments that they were for incremental change, that they wanted to have the ducks in place before making those changes so the consequences would not be dire for the people of this province.

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** Except when they bought an oil company.

**Mr Bradley:** Except when they bought an oil company, as my friend the member for Brockville tells us. He was opposed to that—I want to put that on the record—that time.

So that's what we have. We have a government that really says it's not a government, it's here to shrink government, to discredit government, and we know that the Fraser Institute and all the right-wing so-called think tanks and the right wing are there to discredit government. They want to create a crisis in public institutions so that people will no longer have faith in them and then they can implement private solutions. Obviously we see the Premier trying to head in that direction in the field of health care today.

So Walkerton stands as a genuine blemish on the record of this government and was a direct consequence of the actions of this government. As I've said on many occasions, I don't think it was mean-spirited and deliberate by any means. But I think it was almost inevitable that we would have a Walkerton happening because somebody somewhere along the line did not prevent the damaging cuts to the Ministry of the Environment and the drastic changes that were made in government policy that resulted in seven people dying from drinking the water in Walkerton and well over 1,000 people becoming seriously ill, some with consequences that may be for many years to come.

So I would like to see the report released immediately. As I indicated at the beginning of my remarks, I had a fear that the spin doctors within the government—not the members of the Legislature who are not in the cabinet, particularly, but the spin doctors of the government; you know, the people whom many of you on the backbenches don't like—were going to manipulate things to such an extent that it would be released when it was convenient to the government rather than when it was convenient to the people of Walkerton and the people of Ontario. That's why we have this resolution this afternoon. I'm hopeful that the government members will, as they have said they're going to, vote in favour of the resolution and that we can be assured that we're going to have—

**Mr Spina:** Convince us.

**Mr Bradley:** I think I've made a compelling case for it.

Last, I want to say this about the report. Yes, it's important to identify what happened because we want to avoid that kind of mistake in the future. What's equally important, and perhaps more important, is that the government act upon the recommendations of the commission of inquiry so that people are protected, so that the people of this province have clean, reliable, pure water to drink. That's what this afternoon is about and that is what we all seek to have in our province.

**The Acting Speaker:** Further debate?

**Mr Gilles Bisson (Timmins-James Bay):** I want to set out at the beginning of this debate that the NDP caucus will be supporting this particular resolution because we believe that at the end of the day it is important that we get to what is contained within the report from Justice Dennis O'Connor as quickly as it is issued. I was glad to see that yesterday the government seemed willing, by way of a unanimous consent motion, to allow that to happen. I thought it was kind of strange when the Liberals put forward a unanimous consent motion, the New Democrats said, "Yes, we're in agreement," the Tories said they were in agreement and then the Liberals withdrew the motion. I just wondered what that was all about.

I understand it's a bit of inside baseball, because it would have meant, because of the rules of this House, that the Liberals couldn't have their opposition day, but I think we might have been better served to do the unanimous consent motion when we knew we had a bird in the hand. I truly hope the government, at the end of this debate, will do what they said they would do yesterday and vote in support of the Liberal opposition motion, because certainly we as New Democrats yesterday were prepared to give unanimous consent and the Liberals withdrew, but that's another story. We're still prepared today to vote in favour of this particular motion.

I want to touch on a couple of the comments that were made by my good friend the member from Niagara—not from Niagara but from St Catharines; a good friend also lives in Niagara, Peter Kormos—Mr Bradley, because he raised something in his debate that I think we really need to have a discussion about in this Legislature—and this is meant to be a bit of a lecture to the Tory government and, I would argue, possibly some of the people within the Liberal caucus who tend to be more on the right of the political spectrum—and that is the role of government.

The Tories, on being elected in 1995, came in with their ideas, the mantra and the ideology of the right and said, "We're the government that's being elected to dismantle government." They were sort of like the anti-government party. They ran in 1995 and said, "If you elect us to government, we will come to government to straighten things out," as my good friend the member from wherever—I don't remember the riding, but it's BGMS—says. The point was, they were coming to government to dismantle government, because I have to say these Tories really have a problem with government. They see government as this big body that's intrusive, that gets in the way of business, gets in the way of

making Ontario work. Mike Harris and the rest of the ideologues within the Tory party, some Liberals at the federal level certainly and, I would argue, some at the provincial level, say, "If we could only get rid of a whole bunch of government, we would be so much better off. Life would be so great. We would be able to live so well because we wouldn't have all those bureaucrats, all that bureaucracy and all of those pesky laws getting in our way."

It makes me think a bit of a dictator. The dictator says, "That democracy, it just tends to get in the way of making things happen. Huh. Do away with it." Life is much easier when you're Stalin, Mao Ze-Dong or whomever. You just do what you want and get them all out of your way. You don't have to worry. In 1995 we got a chance to try that out. For the first time in the province's history, in recent memory—I shouldn't say "the first time," because unfortunately we've gone down this road before—we got a chance to see what this would look like after these Tories, these neo-con Alliance members, Stockwell Day types, Mike Harrisites, came to power. They got a chance to try it out and they came to government and said, "Away with all this bureaucracy." They invented the Red Tape Commission and by way of the Red Tape Commission, "Away with all those regulations. Be done with them. Off with their heads," type of thing. "Just get rid of it. It's in the way. Get rid of it."

Then they got to power and they said, "Oh, those pesky ministry types. You know those people who work at MOE, those bad Ministry of the Environment types and those bad bureaucrats at MNR? Do away with 50% of those. They only get in the way. After all," said Mike Harris, "they only get in the way of making things happen. They're a hindrance to business. They are just a layer of bureaucracy that we can't afford and that doesn't serve any useful good."

There was a little voice in the Legislature, nine New Democrats who stood in the Legislature and said, "Stop. Don't do this," and the Tories said, "Oh, you're the government of bureaucracy. You're the government of red tape. You're the government of big spending. Oh, we know what you're like. We tried it your way and it didn't work." Do you know what? Under our watch nobody died drinking water. No one. We understand, as New Democrats, as other governments before us did, before you neo-cons came along, that you absolutely have to have government in place to make sure the basics of making a modern society work are there, such as those pesky bureaucrats at MOE and MNR who were out there diligently every day, making sure you can pick up your glass of water, drink it and not worry about having to die in a community called Walkerton.

1600

I say to the government across the way—yes, it's meant as a bit of a lecture today—"We told you so." We told you when you started down this road of privatization of ministry services, 50% cuts of MOE staff, 50% cuts at MNR, the deregulation you did by way of the Red Tape Commission, your attitude where anybody within the

government who was an environmentalist had to duck because, God knows, Mike Harris didn't like you and you weren't about to become a target. We told you that you couldn't run government that way.

There is a useful purpose for government, and that's why in a modern society we have decided over the years to build something that's called government. We know that in the bad old days you couldn't drink water in many communities without dying. We know that in the bad old days we didn't have the protections we have when it comes to labour laws and such, and that if we want to have a civil, modern society, yes, you have to have government that organizes that. Because do you know what, friends? It's not going to happen on its own.

Civility is not something that just happens by chance, when it comes to treating each other decently as human beings and making sure we have proper rules by which we operate our communities, our provinces and our countries. It happens when logical human beings get elected and come to a Legislature or House of Commons or municipal government, look at an issue and say, "We have a problem," as they did in the history of the provinces of Ontario, Quebec, PEI and others when they looked at the water systems and said: "You can't drink water in those communities because it's unsafe. What shall we do?" So they created a public health unit.

In Ontario, the first one created was up in the city of Timmins. You had the specialists locally, in order to put in place the type of protections we needed to make sure the water was certainly safe when we drank it. And you had to have Ministries of the Environment, where you had the expertise to back up the services locally, so that when somebody called from Timmins, Mattice' or Walkerton, somebody was at the other end answering the phone, saying "Hello, can I help you?" And in the end, that somebody with the expertise could go from the ministry to support the actions that were happening in the field. And you had to have the scientists working within the ministry who set the standards by which we made sure our drinking water was safe.

So I do say to you neo-cons across the way, "We told you so." It was the small voice of the New Democrats, because we were only nine in 1995 as we are now after the last election, who said, "You do this and we're going to end up in deep trouble, because we're not going to have the kind of protection we had."

When the report from Justice Dennis O'Connor comes in, it will be an interesting report. I look forward to reading it, because I expect—I'm not clairvoyant; I don't pretend I know exactly what's going to be written. But I would perfectly well expect that Mr Dennis O'Connor will assess some of the blame for this particular travesty on the policies of this government.

**Mrs Margaret Marland (Mississauga South):** Justice Dennis O'Connor.

**Mr Bisson:** Yes, good point. Justice Dennis O'Connor; I said it. Do you want me to say it again, Margaret, with feeling just for you? I will. You're my friend. I don't want to offend you in any way. I really don't.

**Mrs Marland:** Sorry, it's Mr Justice.

**Mr Bisson:** Mr Justice Dennis O'Connor, just to help you out, Margaret.

I say to the government members across the way that it proves something we've been saying from the very beginning; that is, there is a positive role for government. If government is not there organizing the type of services and support for infrastructure that is so necessary to operate our provincial services, they're not going to happen on their own.

So I say to the government across the way, here are a couple of things that I think you need to be doing. We got into the problem of Walkerton because you got rid of many of the services that were in place in order to protect our drinking water. We got into the problem of Walkerton much because you've done the type of cuts you did at the public health units, the Ministry of the Environment and the Ministry of Natural Resources. What's even more galling is that you got into the business of cutting the capital dollars that were necessary in order to fund inadequate water systems that had to be upgraded because they were either not able to operate to the capacities they needed to operate at, or maybe in some situations they were possibly giving to a community water that may not have been safe.

When we were the government between 1990 and 1995, we created the water protection fund. The reason we did that was to put in place the capital dollars necessary so that municipalities across this province were able to say, "We have a problem with our drinking system, we have confirmed that by way of the experts at the Ministry of the Environment and the public health units and we need to do something in order to replace the aging water supply system." They would be able to come up with their share of the dollars, come to the provincial government and make an application for capital dollars so they would be able to find the means and resources to build those new water systems that are much needed in Ontario.

If you can do but one thing, I would ask you, why don't you restore the funding we had in place for the water protection fund that was put in place by the Bob Rae government and was eliminated by Mike Harris, one of the first things he did on getting here? I know the government is going to say—I can see them saying it—"We've got SuperBuild. We don't need the water protection fund because SuperBuild is just going to fix everything." I say to the government, all you've done with SuperBuild is to take all the capital dollars we had, divide them in half, put them in one pot and basically say, "Look how wonderful we are. We built this big pot in order to be able to fund things in Ontario when it comes to capital infrastructure." It's only half of what we had before and it means that in the competition to fund everything from sports complexes to municipal libraries to water systems, some things are going to lose out. One of those things is going to be water systems across the province.

I would argue that you need to have a dedicated fund, not a SuperBuild fund, such as we had created through

the Ontario Clean Water Agency when we, the NDP, were in government, and come back to a water protection fund in order to make sure that MOE has a pot of dollars that's available, that's consistent, so municipalities know how much is there so that they're able to apply to the ministry to get funded to rebuild their water systems when necessary.

Municipal governments are responsible. They understand that they're not all going to be able to be funded in one year. But if they know that there is a water protection fund in place and they know there's a reasonable chance that they're going to get funded in two, three or four years, they can at least plan. They can say in the town of Mattice or Smooth Rock Falls or wherever it might be, "We need to replace our water system or do improvements to it. We know that the cost is going to be \$800,000. It's going to be a 60-40 type of split," or whatever we're going to come up with for the split, "and we will budget accordingly, knowing that the province is going to come good for its share." The municipalities on their own can't fund it. They do not have the tax base, in many cases, to be able to fund entirely the type of work they've got to do to make their drinking water safe and make sure other infrastructures are in place within their communities.

I look at communities such as Mattice, Opasatika, Fauquier; there are many communities like that across the province. They don't have the industrial assessment to be able to get the dollars to put those things forward. That's why the province must play a role. So I say as a New Democrat that it's very important that we have in place dedicated funds to make sure there are dollars for those municipalities to apply for, to be able to put that in place.

The other positive thing I want to suggest to the government—because I believe as a New Democrat and as an opposition member that it's not my job to stand here and point a finger at you all the time. I love doing that every now and then because you certainly mess up enough and give me an opportunity, but I have to give you some recommendations of what I think you could be doing. Here is another thing we could be doing that's very easy to do. It takes some planning. You're not going to be able to turn this overnight, but if you give yourselves 12, 14 or 16 months, you can make this happen. I'll give you an example of where it could make a difference.

Just recently we read—I think it was on Saturday or Sunday—in newspapers that we have another E coli problem in this province. This time it has to do with foods. We're not quite sure exactly what happened, but more or less in the handling of foods in restaurants and other areas there have been a number of cases—I think the number is 12—where we've had E coli incidents appear again in Ontario.

I want to say upfront that it's not the water. Let's not get people all panicked. It ain't the water, from what we can figure out at this point. But we suspect, by way of whoever is left out there to do the job these days, that it

comes from food handling. One of the difficulties we're having is that we don't have the number of inspectors we need out in the field to do the kind of work that has to be done to identify where these problems come from.

So I would say to the government that you'll have to recommit to hire back many of the inspectors you laid off at the Ministry of the Environment, that the public health units have had to let go and that you let go by way of the Ministry of Agriculture and Food, to have the inspectors in place to go out there and inspect those restaurants and inspect the places where they handle food, be it at the farm gate or all the way to the restaurant or the grocery store, so that we're sure the food we're eating and the food we're selling in Ontario is safe for humans to eat.

1610

Now we're starting to worry because we've seen that there have been another 12 cases where people in Ontario have gone into a restaurant somewhere and have E coli. I think this particular strain is E coli 0157, which has shown up by way of tests when these people have become ill.

What I'm saying to you is that we need to make sure we have inspectors in place, that the way we find out is not by somebody showing up at the emergency ward in Timmins or at Wellesley, and all of a sudden you've got an E coli case. That's not the way we should find this out. We should find out by knowing there is the number of inspectors out there.

I know what the government is going to say: "Oh, a waste of money. More bureaucrats out there. Oh, God, don't you understand it, you silly New Democrats? You can't be spending money on a bureaucracy, all these terrible employees out there doing it. Don't you know if we privatize it, it will be better?" I know that's what you're going to tell me. You can skip your rotation. I know that's what your speech is going to be.

But I want to say to you in all sincerity that that ain't the case. You do have to have those people out there. Why? You understand, my good friend Mr Tilson—and I don't know your riding or else I would use the name of it. You're a lawyer and you understand. What is the best deterrent to somebody committing a crime? It is the fear of getting caught.

**Mrs Marland:** Cook the food.

**Mr Bisson:** Margaret says, "Cook the food." Well, I only wish it were that simple.

I say to you across the way, people will not go out and break the law, by and large, if they fear that they're going to get caught. It's the same thing when it comes to the issue of inspecting food or inspecting a water system in Ontario. If I'm a handler of foods, be it in the restaurant business or in the merchandising or selling of food, and I've got some practices that may not be so healthy—as my good friend Margaret has said, the whole issue of not properly cooking food, or some butcher drops the meat on the ground, picks it up, and maybe it picked up some contamination—and I think I'm not going to get caught, I am not as worried about what just happened. But if people know there are inspectors out there who are

watching them—yes, they are on their behinds, making sure there are people who are inspecting—they are less likely to do those kinds of things that would infect our food or our water supplies.

I say to the government, by way of another suggestion from us, the New Democrats, that you have to have publicly controlled and publicly funded inspectors in the field who are inspecting the systems out there when it comes to handling food or when it comes to water. If you don't have the inspectors out there, there is a sense among those who handle or distribute the food or whatever way they're involved in it, "If I have a chance of not getting caught, maybe I don't have to be so vigilant."

I say to the government, your neo-conservative attitude when it comes to government—less government is better—really doesn't work.

**Mrs Marland:** Neo-cons.

**Mr Bisson:** Neo-con, neo-conservative or, as we would say in French, *néoconservateur*, and if you translate that properly you'll understand what I just said: *néocon-servateur*. The translator is laughing. I can see her.

I just say to you that it doesn't work. That whole agenda of saying that less government leads to more efficiencies, leads to a better way of life and a more fiscally responsible way of running things at the end has a cost associated with it. And I argue that in the end it probably didn't save a heck of a lot of money, when you really look at it. There are more possibilities for things to go wrong in the systems today. So one of the things I want to suggest that the government could do to ensure that citizens in Ontario don't get ill when they eat food or drink water is to make sure you have the people in place to inspect.

The last point I want to make is this: when it comes to one of the suggestions you can do, you can rehire those five scientists you fired, the very people who developed the test to detect E coli in Ontario, the people who did the scientific type of work that allows us to identify the very type of bacteria that killed people in Walkerton. You fired them. You got rid of them. "Oh," the government said, it wasn't them, it was OPSEU. Give me a break. Like they went to a membership meeting and said "I oppose this motion. I want to be fired." Give me a break, government. That's not the way it happens. You're the guys in control. You sit at the cabinet table. You guys make the decision. It's you guys that fired the scientists in the government. I can't get over that: the government said it was OPSEU. Give me a break.

I just cannot believe it. It's like the little story when you're growing up: the kid flushes the toilet because he blocked it up. Mother catches him in the bathroom and sees the water coming up over the toilet and goes to the child and says, "Son, did you do that?" "No, it wasn't me," and he's the only kid in the bathroom. That's what this government is like. You guys do things and you won't take responsibility for them even when you're caught. These scientists were fired by the provincial government. You're the people who pay the salaries, you're the guys who sign the cheques, and you did the firing.

Don't come to me and say it was OPSEU. Wait until I tell my friend Leah Casselman. She won't ever forgive you for that one.

I just say to you, one of the things the government could do is to make sure we have the scientific staff in place in Ontario who are able to do the scientific work that's necessary to identify the type of bacteria and the type of testing that's needed in order to make sure we don't end up in a situation such as we did in Walkerton.

Those are three recommendations that we're making to you today as New Democrats. We're saying (1) you need to put in place a water protection fund, dedicated dollars to make sure municipalities have a partner to be able to go out and fund the type of infrastructure they need to make their water systems safe or that they are able to make additions to water systems; (2) you have to have inspectors in place out there to do two things: yes, inspect and make sure we end up in a situation where we know if something is going wrong but, more important, to offer a deterrent to those people in the food-handling industry who may not be as responsible as we want and by way of that irresponsibility may put people in harm's way; and (3) a simple thing that you can do—it's a no-brainer—is you can call Leah Casselman. I've got her phone number. I'm sure she'd be willing to help you. Just give her a call. Hire the scientists that you've fired to make sure we've got the scientific staff to be able to do the type of tests that have to be done.

I guess the other point I'd like to make is—this is a political observation, and this is really quite amazing because it's like on the way out Mike Harris has all of a sudden just realized a couple of things. I remember being in government when we made the argument around health care that the Mulroney government had reduced health funding in the province from 50% to about 20% when we were there, and then eventually Chrétien brought it down all the way to what it is now. At the time, Bob Rae and myself, as a member of the NDP government, got up and said we needed the help of the opposition parties to convince, first, Mulroney and then Mr Chrétien to restore the funding that we needed to fund health care in Ontario. I remember when Mike Harris was saying, "But Mr NDP government, your problem is not a fiscal problem of revenue; you've got a spending problem." "Stop whining," he'd say. Now I see Mike Harris running to Ottawa and whining that he's got a problem. Because he's given away billions of dollars in tax cuts in Ontario, he's saying to the federal government, "Give me more money. I've got no more. I can't fund water testing. I can't fund the reconstruction of water plants because I've given it all away." He's after the government, saying, "Hey, come on and help us. You've got to take your responsibility."

Well, I say to the government, practise what you preach. Go to the municipalities and become a real partner. Those municipalities out there can't do it on their own and they're encouraged when they see their Premier, Mike Harris, go to Ottawa to say to them, "Help us with a problem that we've got. We need you to play your role

and to fund the government, to fund services here in the province of Ontario." Instead, what they get is a provincial government that turns around and says, "But at the end, we're not going to be that partner when it comes to you. We're not going to practise what we preach. We may say one thing to the federal government, but we really don't mean it when we're talking to our municipal partners." To that, I say the government is wrong.

I just conclude by saying we will support this resolution. We have made three very concrete recommendations to the government when it comes to how we can make water systems safer in Ontario and how we can make the foods we eat in this province much safer by way of making sure we do those things that we recommended, and we say to the government we will be voting along with the Liberals on their opposition day motion today to make sure that—

**Mrs Marland:** Justice Dennis O'Connor.

1620

**Mr Bisson:** Make sure I get this one right, Margaret. Pay attention. I want you to pay attention.

**Mrs Marland:** I'm paying attention.

**Mr Bisson:** Our good friend the Chief Justice, Mr Dennis O'Connor, when the report comes out, that in fact that report is released—

**Mrs Marland:** Sorry, it's Mr Justice.

**Mr Bisson:** Mr Justice O'Connor. I want to make sure I have it right for you, Margaret, and that at the end, when that report is done, it is released as quickly as possible.

With that, Mr Speaker, I want to thank you so much for having an opportunity to debate this today.

**The Acting Speaker:** Further debate?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** Yesterday, the government House leader, Mrs Ecker, rose in her place and suggested to the House that we were in favour, the government, members on this side, were in support of the resolution as put forward by the Liberal opposition and asked for unanimous consent that it carry.

*Interjections.*

**Mr Tilson:** I don't want to interrupt you people at all.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** Capture us with your insight and your flair.

**Mr Tilson:** Indeed.

**The Acting Speaker:** The member for Dufferin-Peel-Wellington-Grey is trying to make some points; perhaps we should let him.

**Mr Tilson:** Thank you, Mr Speaker, for your assistance. We are here today, so obviously that consent was not given, but I will reiterate on behalf of this side that the members on this side will be supportive of the resolution. We will be voting in favour of it when that time comes.

*Interjections.*

**Mr Tilson:** Mr Speaker, I'm having an awful time here. I've got some things to say.

In the week of the Walkerton outbreak, clear, decisive action was required to restore the public's confidence in the drinking water system. The government took many

important steps to improve the protection of Ontario's water supplies and thereby enhance public confidence.

First and foremost, the government pledged to do whatever was necessary to help the people of Walkerton. The Premier, a number of cabinet ministers and the Minister of the Environment visited Walkerton to learn first-hand about the community's needs.

Over the past 18 months the government's comprehensive support for Walkerton has included remediation of the Walkerton waterworks, the dedication of additional public health resources, the provision of bottled water, emergency funds and financial compensation for the residents of Walkerton, immediate and long-term assistance to the businesses and financial aid to the municipality.

A further significant step to restore public confidence in Ontario's drinking water was the establishment in June of last year, in June of 2000, of the public inquiry presided over by Mr Justice Dennis R. O'Connor as commissioner. The government appointed this commissioner for two reasons. First, we wanted to find out what caused this tragedy. Second, we wanted to learn how to prevent a similar tragedy in the future. So, through comprehensive terms of reference, the Walkerton inquiry has a mandate to inquire into the causes of events in Walkerton, including the effect, if any, of government policies, procedures and practices and to explore any other relevant matters to ensure the safety of Ontario's drinking water.

The inquiry, Mr Speaker, has a dual task of looking into why the Walkerton tragedy occurred and making recommendations designed to prevent a similar tragedy from occurring in the future. The inquiry's terms of reference provide explicitly that all provincial ministries, boards, agencies and commissions, including the Cabinet Office and the Premier's office, are to assist in the inquiry to the fullest extent.

From the outset of the inquiry, the government has co-operated fully to ensure that this commitment has been kept. The government has provided the inquiry with the resources necessary to do its work, including funding for counsel, for staff, for investigators, for expert advisers and for other services.

The government has co-operated with the inquiry by producing over one million documents. Over 272,000 of these documents have been electronically imaged at the commission's request. The commission has provided approximately 41,000 documents to parties with standing at the inquiry.

Some 54 current and former government employees have appeared as witnesses before the inquiry, as well as two cabinet ministers and the Premier of the province of Ontario.

The inquiry's terms of reference authorize the commissioner to make recommendations regarding funding for parties who have been granted standing but would not be able to participate without financial assistance. To date, the government has accepted all of the commissioner's recommendations for funding.

To dispel any hesitation individuals might feel about coming forward to assist the inquiry, legislation was passed in June 2000 to protect employees who participate in public inquiries from any workplace reprisals. This protection applies not only to Ontario government employees, but to non-government employees as well.

In announcing that the government had established the inquiry, the Premier stated, "The families of Walkerton demand answers. The Ontario public demands answers. I demand answers and that's why I've been calling for a full, open and public review of what went wrong and why. We have a responsibility to the victims and their families to get to the bottom of this tragedy. We will not rest until we do so."

When the then Attorney General, Jim Flaherty, announced the appointment of Mr Justice O'Connor as commissioner, he stated, "With a distinguished commissioner and broad terms of reference, we have now established a process that will get the answers demanded by the victims and their families and the Ontario public. We will not rest until we find out what went wrong in Walkerton and why, so that similar tragedies can be prevented in the future."

The government has confidence that Justice O'Connor, after almost 10 months of hearings, testimony from close to 100 witnesses and the review of hundreds of thousands of documents, will provide the answers the people of Walkerton and the people of the province of Ontario are seeking. I will say this to the House on behalf of my colleague the Attorney General, Mr Young, who is representing Ontario at a federal-provincial-territorial justice meeting and could not be here today: we support releasing Mr Justice O'Connor's report immediately after it is received.

I would like to spend a few moments discussing what steps the government has already taken to improve water quality since the Walkerton tragedy. The government launched Operation Clean Water in August 2000, which, among other things, committed \$240 million to help smaller municipalities and rural areas upgrade their waterworks. A key aspect of Operation Clean Water was the enactment of the drinking water protection regulation which establishes mandatory and more stringent requirements for waterworks operators. We passed the drinking water protection regulation to improve protection of the health of Ontarians and to make the province's drinking water requirements among the toughest in the world.

We also proposed the drinking water protection regulation for designated facilities to ensure that people who are less resistant to contaminants in drinking water, such as seniors and children, are better protected.

We are implementing the \$6-million provincial groundwater monitoring network. We inspected all municipal water treatment plants in the province—more than 650—to ensure compliance with provincial legislation, and we are committed to doing annual inspections at these plants. In addition, the government engaged Valerie Gibbons, a senior partner in Executive Resource Group and a former deputy minister, to examine the operation of

the Ministry of the Environment and to make recommendations to the government to improve its operation. But as we strengthen protection for our drinking water, let's keep in mind that we are building a system that until May of 2000 had served us well. In making changes, it is important to recognize and preserve what is valuable.

1630

I would like to end my comments this afternoon the same way I began, and that is by repeating that the government supports the immediate release of the commissioner's report. Given the wide consensus among the parties in the House this afternoon, I would like at this time to seek unanimous consent to have the question put immediately without further debate on Mr Bradley's motion in order to demonstrate unanimous support for this motion.

**The Acting Speaker:** Mr Tilson has asked for unanimous consent that the question be now put. Agreed? No.

Further debate?

*Interjection.*

**Mr Conway:** I want to speak. I think there is going to be unanimity, and that's to our collective credit. But, God knows, we get not that many opportunities in what appears to be an ever-truncated legislative session, and I for one don't intend to surrender my right to speak on behalf of my constituents about a matter of urgent and pressing necessity.

Let me say some things at the outset. I strongly support, as I believe all members will, the resolution standing in the name of my friend and seatmate the member for St Catharines. It's a right and proper thing that we should agree unanimously to support this. Quite frankly, I cannot imagine that a contrary position was ever contemplated.

I want to say to the government, in a congratulatory way, that I certainly applaud their response by selecting Mr Justice Dennis O'Connor to head this very important public inquiry. I'd like to think I had something to do with pressuring the government into a judicial inquiry as opposed to some of the earlier alternative measures that were being contemplated. But in fairness, I want to congratulate the Premier and the government bench for doing the right thing insofar as not only appointing a judicial inquiry, but selecting an outstanding jurist to head that inquiry. It would be wrong for any of us here, myself included, to prejudge the inquiry. I don't know what they're going to find, but I certainly want to know that as soon as that report is done, it's going to be released into the public domain.

I almost stood up here the other day—and I say, perhaps a little bit scoldingly to both sides of the aisle, that on this Walkerton matter I get very angry when I think politicians are playing evident games. If there was ever a serious matter before this chamber, it's got to be Walkerton. Seven innocent people died, thousands of innocent people were sickened, some of them in a very serious way. According to Professor Livernois, in his report released just yesterday I believe, there is now estimated to be something like \$65 million worth of

direct economic loss or cost associated with the tragedy in Bruce county, in Walkerton, in the spring-summer of 2000.

So this is a very serious, troubling matter. We, as responsible citizens in this Legislature, have in a very bipartisan way surely an obligation to show the public out there, especially the families of the deceased at or near Walkerton, that we are going to do everything we possibly can to ensure that whatever happened will not happen again. Again, it's not for me to say who is responsible. That clearly is primarily the responsibility of Mr Justice O'Connor. But we know this much: governments, local, provincial and national, are not going to be allowed the easy ride we all had before the Walkerton tragedy struck 18 months ago. There is abroad in the land a very seriously heightened public consciousness about water and water quality, about these mysterious murderous bacteria, E coli, that can so silently kill. We, as community leaders, are going to be expected to show the way and do our part to protect the public interest in this respect.

I wanted today to take a few moments to highlight a couple of observations that have been brought to my attention as a member from rural Ontario. I'm just going to cite a couple of examples. In the last few months I've had a couple of my smaller municipalities—several of my smaller municipalities but I'm going to mention a couple—draw their concerns to my attention.

Do you know that in the village of Killaloe, population approximately 700, there are about 120 households and businesses connected to a communal water system, 120 hookups in that beautiful Ottawa Valley village? The municipal leadership in the now amalgamated township of Killaloe, Hagarty and Richards has been told that the new water-testing requirements are going to impose a new cost of approximately \$18,000 a year on the 120 ratepayers who support directly, through their user charges, the Killaloe water system. That's \$18,000 a year in new water-testing costs spread across 120 accounts. That's \$150 a year in additional charges to the people who are expected to pay at the local level for the Killaloe waterworks, and that's just for the new testing requirements, on an annual basis.

Up Highway 60, in the village of Barry's Bay, I'm told by Reeve Schweig of the newly amalgamated township of Madawaska Valley in which the old village of Barry's Bay is located that they have an estimated cost of somewhere between \$2 million and \$2.5 million to bring the water plant of the village of Barry's Bay into conformity. In the village of Barry's Bay the population, at a maximum, is about 1,200 to 1,500. A \$2.5-million water treatment upgrading cost? Let's assume for the sake of argument that the cost is going to be shared equally one third, one third and one third between the local, provincial and federal governments. At a one-third cost, the village of Barry's Bay in the newly amalgamated township of Madawaska Valley has a capital cost of some three quarters of a million dollars on its own account just to bring its water treatment plant into conformity. For

your information, the village of Barry's Bay—and this in fact may be the entire township of Madawaska Valley; I'm not sure—has a borrowing capacity of \$700,000 and they already have an existing debt of about \$300,000.

You can see in those two examples, one in the village of Killaloe and the other in the village of Barry's Bay, how the new requirements, which we surely will all support, to bring our communal water systems to a newly acceptable standard are going to cost very substantial dollars.

My friend from Caledon will know, the member from north Perth will know, as well as does the Deputy Speaker, as does our friend Arnott and my friend the government whip, all of us in rural, small-town Ontario know that in these small, rural communities you've got a very limited tax base. These costs, particularly for water treatment and sewage treatment facilities, are enormous. Let me repeat, in Killaloe, just the new water-testing requirements are going to impose a new \$150 annual charge on the users, and that's just for water testing. In Barry's Bay, apparently, they're going to have to come up locally, if they get a very good formula, with something in the order of three quarters of a million local dollars just to bring their water treatment plant into conformity with new standards.

1640

Thanks to my constituents in the Renfrew area, I've got a very good letter from Harry Vibe of RR 1, Renfrew, who writes on behalf of a number of the residents of the Pleasant View mobile home park in the Renfrew area of my constituency. They are pointing out to the Ministry of the Environment and to me as their local member, "Has anybody given any thought," Mr Vibe writes, "about the impact of these new requirements on smaller mobile home parks in rural Ontario, campgrounds, many of which are operated by Her Majesty's provincial government?" Mr Vibe is right in saying, "Be careful, governments. Make sure you do not expect from property taxpayers, many of us on modest incomes, costs that we simply cannot afford."

Yes, there is abroad in the land and in this Legislature and in the government party, as we speak, a very active debate about choices and consequences. We've got the Minister of Finance and the Minister of Health saying, "It's time to cut even more deeply into the tax system." Well, if that's what you want to do, you have to understand that \$2.2 billion worth of corporate tax cuts are going to have to be paid for somehow.

I understand that there's an honest and significant debate to be had there, but on the part of my rural constituents throughout the Ottawa Valley, they would want me to say two things as I resume my seat this afternoon: "Absolutely, Conway, we want you to support any resolution that brings the O'Connor report into the public domain immediately upon its completion." But they would also say to me, "Will you please tell not just your colleagues in the government but your colleagues in both of the opposition parties that in rural Ontario these new costs we are contemplating toward a very good public

purpose—safe and secure water and safe and secure disposition of waste materials—have got to be paid for in a way that is fair and equitable to people living on the farm and in rural villages, hamlets and, yes, even in small towns and smaller cities.”

I just want to say to the government and to my colleagues on this side of the aisle that there are altogether too many indications that the provincial government, whether it's in nutrient management or in a host of other related activities, is being very quick to set significantly higher standards that must be met by the community. But insofar as assisting smaller rural communities with what are clearly onerous, if not backbreaking, local costs is concerned, the Ontario government has been very unwilling, almost reluctant, to offer a helping hand that we have offered in the past, over the decades, and without which, quite frankly, in the future altogether too many communities in my county of Renfrew are simply not going to be able to meet and master with their own resources.

With those words, Mr Speaker, I'm happy to resume my seat.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to add a few words in support of the resolution of my good friend and colleague from St Catharines, Jim Bradley, who arguably is probably the best Minister of the Environment—there have been some very good ones—this province has ever seen. I think he's bang on in terms of insisting that we get an opportunity today to articulate for the record our history of concern with respect to what has happened.

I got to know Mr Bradley quite well during my by-election. Trusting government was already a major issue in the riding of Ancaster-Dundas-Flamborough-Aldershot. It was a government that talked at some length, notwithstanding our views on it, about not inflicting amalgamation on communities against their will, and that had even run on that platform only to see that changed. But to that whole mix was added this issue of Walkerton. In a much more dramatic way, the issue of trust became an everyday discussion at the door. People simply didn't believe that in a province as rich as Ontario, we would ever see a situation where we'd have death by drinking water.

Lest we forget, it's important to recall some of the history. I do this in the context of acknowledging that in some instances, while no one is guilty, we're all responsible and we need to reflect on that. It's also done very much in the context that while I believe we should only have the government we need, we must insist on all the government we require. If the tragedy in Walkerton has taught us nothing else, I think it should have taught us that. History certainly is instructive, and I just want to cover off some of that if I can.

Some six years ago, before the government started fixing things over there, the MOE conducted regular water tests that were analyzed in an MOE lab. They averaged about 400,000 tests a year. If they discovered a failed test, they'd take immediate and, in most cases,

coordinated action. In September 1996, all MOE labs were closed and responsibility for testing drinking water was delegated to municipalities. There was some eight weeks' notice; very little, if any, consultation with municipalities; no independent review of the availability or costs of private labs; and even no requirement that municipalities use accredited labs, if you can believe it.

On the maintenance and capital spending side, six years ago we saw about one third of the province's water and sewer plants being provincially owned and operated. Capital funding for new water plants and maintenance of existing plants exceeded \$200 million a year. All of that is changed. That too was downloaded. The member from the Renfrew area mentioned trailer parks. That was a significant downloading on municipalities. More recently, we've seen the downloading to municipalities of responsibility for provincially owned water and sewer plants and a virtual drying up of resources for major capital expenditures.

On the inspection, testing and monitoring side, six years ago MOE had a budget of some \$344 million and a staff of 2,500. Since then, that's been cut by 40% and a third of the staff have been laid off. Inspection is so darned critical. It's one thing to trumpet new initiatives and new laws, but if you don't have the trained expertise and staff available to enforce those new directions, they aren't helpful at all.

I was pleased to hear the member from the Orangeville area—we have family up that way—saying his government won't rest until this has been sorted out. I am hopeful that when Mr Justice O'Connor's report is released, one of the things we might consider would be an all-party committee, a couple of dedicated people who can rise above some of the partisanship that sometimes characterizes this place, who might come together to look at how we can shepherd that report through the Legislative Assembly and perhaps, in so doing, restore some of the fundamental trust that Ontarians tell us they've lost in their government.

It's been said that good judgment is based on experience, and experience invariably on bad judgment. Without chronicling some of the pitfalls and perhaps errors of previous governments, which one could easily do, perhaps it suffices to say that those of us who take our responsibilities seriously—and I want to suggest that on a good day that's everybody in this House—would make a commitment to learning from mistakes that have been made in the past.

1650

All that having been said, municipalities that have been referenced several times in the debate are looking for partners. They're looking for someone to walk the walk. They're looking for someone to share the burden. Surely that's what government ought to be about, how we together celebrate our successes and share one another's burdens. Sometimes the sharing of that burden is done in very practical ways through funding partnerships or what have you.

We certainly have a lot of new challenges ahead. This government in particular has been talking about the need

for a groundwater management and protection strategy for some time and legislation to protect drinking water, but we've now got issues with hazardous and toxic waste. I'd like to suggest that we, as a Legislative Assembly, actually commit to a new annual state of the environment with some specific and very pointed steps we can take.

I know we've heard from both the auditor and the Environmental Commissioner, and there are lots of comments I could read into the record, but that wouldn't be particularly helpful today. People are looking for this Legislative Assembly to point direction, not fingers. In that context, I'd just like to take the last minute or so that I have to make a couple of personal observations, if I can. I know everybody's interested in hearing this.

I would like to suggest that I'm hopeful that one of the recommendations that may be made is that we can look at the creation of a water utilities board or perhaps a series of water utilities commissions that would be organized based on watershed—there are some 37 watersheds in Ontario—working in partnership with our conservation authorities, perhaps dealing with that uncomfortable issue of the private-public partnership mix there, with conservation of our most precious asset, the most precious liquid resource we have, as its fundamental goal.

I would lift those ideas up to members of this Legislative Assembly and commit on my part and on the part of members of this House to working toward making sure—

**The Acting Speaker:** Thank you. Further debate?

**Mr Bart Maves (Niagara Falls):** I'm not going to take too long today to speak to this motion, because we on this side of the House agree with the motion and in fact had every intention of releasing the report from the Walkerton inquiry as soon as it became available. That, I think, speaks to the openness with which we've approached this entire situation.

Members opposite like to engage in some revisionist history about forcing, and the Liberals slap themselves on the back, congratulating themselves for the inquiry occurring, when in actual fact I believe the Premier initially offered to have an inquiry, headed by the members of this assembly. The Liberals couldn't trust the members of this assembly to have that and wanted to have a broader public inquiry. We on this side of the aisle had absolutely no concern about that whatsoever, and I think the very next day the Premier came out and said we were going to have a full public inquiry with Mr O'Connor as the head of that inquiry. It's funny that sometimes the Liberals, when they know we're going to come forward with a policy on something, usually try to talk about it the day before or two days before, and then when we introduce that policy, slap themselves on the back and try to say they pressured the government into that position.

It was kind of humorous one day when Mr McGuinty talked about needing more choice in education. About a month later, when this government, through the budget, introduced education choice, they jumped up to clap Mr

McGuinty on the back and congratulate him. They sure backed off that congratulatory pat on the back for Mr McGuinty about a day or two later when their friends in the teachers' unions said, "You can't support that tax credit, because we don't like that form of choice in education." They get themselves in trouble every now and then.

Another concern I have that I want to talk about is, over the past couple of months, usually the Liberal opposition would get up and complain that the government and particularly sometimes the Premier's office wasn't being forthcoming or wasn't cooperating with the inquiry. It's a terribly false allegation. A similarly false allegation was leveled in the Ipperwash case and it's just harmful to the process. It misleads the public.

If I could just give you some background on what role the Premier's office has actually played and what requests were made of them for information in the Walkerton inquiry. On October 30, 2000, the Premier's office received a document request from the O'Connor commission. According to the commission, the document search was to cover a wide period, April 1, 1993, to December 1, 2000, inclusive. They said it would request all documents relevant to the subject matter of the inquiry. So the employees of the Premier's office did searches, including e-mail, computer hard drives, paper documents, written notes—all files.

There were three phases: from December 2000 to January 2001; another phase; March 2001; and a third, June 2001. The searches were all conducted as directed. The Premier's office has certified that all requested documents and all relevant documents have in fact been produced. I believe at least nine boxes of Premier's office records were produced to the commission, so there's absolutely no justification for members opposite to ever stand up and say there wasn't full and complete co-operation on this side of the aisle with the inquiry. As I said, in a similar situation earlier this year, the court actually ruled that the similarly false allegations about missing Ipperwash documents were to be removed from the court files.

We're going to support this resolution. We intended to release the inquiry right away anyway. I just wanted to get on the record that I think it's hurtful and harmful that, in a situation like this, members opposite try to score cheap political points by making false allegations and I hope that they cease and desist from that.

**Mr David Christopherson (Hamilton West):** At the risk of being accused of making cheap political points, the fact of matter is that I would completely disagree with the member and I think when the history of this is written in detail, as it will be, it will be shown that the government had absolutely no intention at the outset of going into a public inquiry.

I grant you that the government moved fast once they sized things up and realized where they were, the amount of pressure. I wouldn't be the least bit surprised if there was a snap poll done to get a sense of the mood of the province. But if we recall, the government's initial

counter-response to the pressure to have accountability here was, I believe, through some form of legislative committee. That was their first reaction and, at that, they were trumpeting how much they were jumping out in front of the process of providing accountability. As we know, that sounds good, but all committees of this place are totally run by the majority and the majority are always the government. So of course they would want it to go there.

When they were finally pressured further, that that's not good enough, then they made the change. I realize at this stage we can debate that ad nauseam, but the fact of the matter is that I think when people take the time down the road to look back, study the media, study the Hansards, both printed and electronic, and get a sense of what happened, they'll realize the government was very much pushed into this public inquiry. This is not the way they wanted to go.

Further to that, I think it speaks volumes, given that the indication I'm getting—now, they may change this in a hurry—is that the government is finished speaking. They've got more time on the clock, but the last word I got as of a few moments ago was that they weren't going to put up any more speakers. That's a little unusual on an opposition day; not totally unheard of, but unusual. But when it's the government doing that, it says one thing and one thing only. It says this government wants anything to do with Walkerton off the public agenda as quickly as possible. If that means that they can save even 40 minutes on the clock today to prevent 40 minutes of discussion about Walkerton, about unsafe drinking water, about innocent Ontarians dying, they're going to take it. By not speaking, what they do is force an earlier vote, because we have a few moments left on the clock. The official opposition has concluded their time, and upon the conclusion of the third party's time, either the government puts up another member and continues to give this the public debate it deserves, or their priority agenda gets met and that is: end this discussion, force the vote early, adjourn the House early and talk about something else tonight and pray, just pray, that Ontarians forget about this for as long as possible. I think that's unfortunate, to say the least.

1700

So when my friend the previous speaker talks about scoring cheap political points, let's be sure that he understands the kind of glass house he lives in before he starts throwing stones around.

I want to talk about just a couple of things in the time that I have. One of them is the fact that the government keeps talking about—and again, as I've said, I can't count how many times the government talks one game, they talk one world, and they legislate and govern in a completely different fashion. When they talk about wanting to do something about learning their lessons and providing the safest drinking water possible anywhere on the planet, they refuse to do the first and most obvious thing they should, and that's to enact a law called the Safe Drinking Water Act.

**Mr McMeekin:** Pretty simple.

**Mr Christopherson:** "Pretty simple," says my friend. Absolutely. Very straightforward. The fact that they aren't doing it screams volumes. We've heard government members in the past say, "We don't need it because it's covered in another piece of regulation. This is just a political document. It really doesn't do anything." Yet the Environmental Commissioner said in his most recent annual report that the Safe Drinking Water Act, as proposed by my colleague from Toronto-Danforth, Marilyn Churley, would give Ontarians rights they do not now enjoy. So if their whole argument in not passing a Safe Drinking Water Act in Ontario is that those protections are already covered elsewhere, the fact that the Environmental Commissioner has taken the legs out from under that argument, in my opinion, leaves them groundless. You have no reason, no excuse whatsoever, for not enacting a Safe Drinking Water Act except that you don't want to do it.

**Mr Bert Johnson (Perth-Middlesex):** How much will it cost?

**Mr Christopherson:** There we go. There's the member from Perth-Middlesex busy writing away at his desk and he looks up long enough to say, "How much is it going to cost?" I'll bet it would cost less than Walkerton is costing. And there are dollar figures that don't equate on the bottom line. When you talk to the family members of young kids who are going to have an illness for their entire life—

**Mr Johnson:** I'm not hard of hearing. I can hear you.

**Mr Christopherson:** You must be hard of hearing. You don't listen.

**The Acting Speaker:** Order.

*Interjection.*

**The Acting Speaker:** The member for Perth-Middlesex will come to order. One member at a time has the floor. All discussions should be through the Speaker.

**Mr Christopherson:** I'm not surprised at the response. If you think you can just heckle out something in this place and you're not going to be called on it, you've got another think coming. The fact of the matter is, when we talk about the Safe Drinking Water Act, when one of you in the governing party says, "How much is it going to cost?" and it's put back across the House as a reason for not doing anything, yes, I'm going to get angry and yes, I'm going to get loud.

If you want to talk about dollars, we're finding out right now. Yesterday's clippings—I'm sure among that mass of paper on your desk somewhere are yesterday's news clippings, and they talk about the cost. So far the cost is upwards of \$165 million. I can't imagine that the people of Ontario, if you posed the question to them and said, "Do you want a Safe Drinking Water Act? It's going to cost \$165 million. Do you still want the government to do it?"—I'll bet you nine out of 10 Ontarians say, "Give me my clean water." But why are they worried about how much it costs? Because you've given away so many billions in corporate tax cuts that you're wondering where you're going to get the money from. I

understand that dilemma, but you made the problem; you made the choice. You decided that corporate tax cuts were more important than safe drinking water. In fact, we already have evidence of that, don't we? For those people who thought, again, that the tax cuts were such a wonderful thing, that, "Boy, just give me that money because I know it's all just waste out there"—a message that this government pushed and promoted—"Get rid of big government," well, guess what? Part of big government is testing to make sure that we've got clean drinking water; it's to make sure that we can breathe the air and that we can live on the land without our kids getting sick and dying. That's part of public service; that's part of government. You made anything to do with government seem evil and bad and wasteful, and then you went a-slashing—slash, slash, slash.

One of the things in this area that they slashed and burned was a provincial water protection fund. Yes, that's a fund that gave out not just tens of millions of dollars—hundreds of millions of dollars. Why? When the NDP was in power, we spent hundreds of millions of dollars through that fund—there goes the government now, bobbing their heads up and down, nudging each other, saying, "See, yeah, there they go again. See, that's what happened. They spent money." Yes. I'm proud to stand here and tell you that we authorized hundreds of millions of dollars to the provincial water protection fund, because do you know what it did? Its sole purpose was to help municipalities ensure that because of the high cost they could still provide clean water to their citizens. I would much rather see hundreds of millions of dollars spent to upgrade municipal infrastructure, to ensure and provide safe, clean drinking water for our families, than give another corporate tax cut to folks who don't need it. I would much rather see that money spent on the provision of clean water.

So when we say things like, "An active safe drinking water act in Ontario," and the government says, "How much is it going to cost?" that's really what this is all about. I, like my friends, have no idea what Mr Justice O'Connor is going to come out with in his report in terms of how directly culpable you are. I don't know. I'll be shocked if all those cuts you made had absolutely no impact. You can't carve out 30% to 40% of a budget, fire 30% to 40% of the staff and expect that you're going to get the same performance. When your public service performance, in this case, is to ensure, monitor and test water, air and land, in my mind there shouldn't even be a debate as to whether that should be funded or whether there ought to be more corporate tax cuts in Ontario. That shouldn't even be a debate, let alone having to worry about the outcome of that debate.

I want to remind the government that all of this should be in all of your minds in the context of the up to \$5 billion that your budget chief is saying you're going to have to trim from our expenditures. Why? Because you refused to back off on the corporate tax cuts. They are above and beyond everything else.

Now, I suppose if the report comes out from Mr Justice O'Connor that a lot of your cuts were in any way

a part of the results of the tragedy at Walkerton, a lot of things are going to happen. There will be a lot of implications. One of them, I would hope, is a rethinking of where your priorities are. Are they going to be more corporate tax cuts, or are you going to start to take your responsibilities to provide protection to the public seriously?

1710

What I can't understand is that they like to tell everybody they're the great law-and-order party, and that means public safety. I can't think of anything that has more to do with ensuring public safety than ensuring the provision of clean water. But somehow they don't make the linkage. If, instead of lab coats, we put the water inspectors in uniforms, would you feel better about it? We can do that if that's what it takes. But somehow someone being assaulted on the street doesn't equate with a child drinking water from the tap in Ontario and dying. Why? Why aren't they both public safety? You're talking about the protection of citizens. Why does that end with thugs on the street? Bacteria kill people too.

Now they don't want to talk so much, I say to my friend from St Catharines. Before, they had so much to say, lots of heckling, lots of comments. Now they've got nothing to say.

I would think if they took their time that they had, they'd be talking about SuperBuild. "Don't worry, SuperBuild is going to step in and solve everything," and that's how you're going to provide infrastructure. First, the infrastructure was needed yesterday, it should have been happening all along; and second, we don't see SuperBuild delivering all these funds and all these cheques yet. Wait until we get closer to the election, though. One of my friends in the official opposition mentioned the other night about watching for all of the large, blown-up cheques that are used for photo ops—which we've all used; I'm not suggesting that's unique to you. But I do buy into the argument that the reason that SuperBuild money is not flowing now is because you'd rather be presenting those nice, big cheques for the nice photo ops much closer to the next election.

**Mr McMeekin:** To heck with the consequences.

**Mr Christopherson:** That's right. To heck with the consequences, my friend says. That seems to be what's going on. As if Walkerton wasn't reason enough for you to release funding for infrastructure spending, how about the absolute responsibility that you have to deal with the recession that we're in that you told us we wouldn't be in if we followed your tax cut schemes? There are all kinds of reasons to release the money, to put that money into the community, and only one not to do it. You have a right to do that, but you should be called on it.

In the last couple of minutes I have, I want to just touch further on the \$5 billion. It's interesting. Every time, it seems, that we deal with an issue where the question is of funding and whether it has done damage to the provision of public service, every time we have that debate, we always seem to come across all these other programs that early in the government's mandate they

just called wasteful spending. Whether it was the Liberals doing it or the NDP, it was all just wasteful spending, because, of course, in their minds all public spending is wasteful, except their wages. That's not wasteful and that's something that did need to go up. That was a priority for them, but everything else gets treated much differently.

I raise this point because every time we take a look at what has gone on in the past, lo and behold, we usually discover a program that most often was brought in by the NDP and was of major benefit to the community, whether it's public safety, whether it's health care, education or the provision of affordable housing, which you have totally abdicated responsibility for.

So I want to emphasize that when people hear the arguments from the types across the way in power today in Ontario and others in Canada who argue about getting rid of big government, getting government off the backs of people, getting government out of the way, cutting through red tape, when you hear all of those things, just appreciate that on the other side lies the rest of Ontario. That Ontario isn't independently wealthy and they don't have the money to pay user fees, willy-nilly, or don't get the service, or increased costs that are being passed on through the market, because if we're not paying for it collectively, then you're going to pay for it individually.

That's a great message if you're one of those who has one of the biggest heaps of money in the whole province. If you're in that category of folk, that's the way you want the world. "Slash those tax rates because it means big money." Half a per cent can mean hundreds of thousands of dollars to people who have lots of money. But, more important, to the majority of people who are in the middle class, you lose the most because you've come to rely on an awful lot of public services that you're entitled to. We all pitch in a little bit of money and we collectively make sure it's there, like fire safety, hospitals, police. When budgets are slashed, those services, if you want them, have to be paid for. I don't know about the rest of the members on the side of the government, but I don't know anybody who can build their own hospital and I don't know anybody who is going to save money by paying private insurance premiums rather than having a progressive tax system pay to ensure that we've got health care that covers everybody.

At the end of the day, all these issues are linked. They are all linked together. Your corporate tax cuts, your attack on the education system, your hints about two-tier health care, your refusal to pass a safe drinking water act and the results of Walkerton are all linked and they don't paint a very pretty picture of the Ontario that you've provided to us.

**The Acting Speaker:** Mr Bradley has moved that the Legislative Assembly of Ontario offers its unequivocal support to the people of Walkerton who are calling on the Attorney General to release the report(s) of Chief Justice Dennis O'Connor on the Walkerton tragedy immediately upon their receipt.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1717 to 1727.*

**The Acting Speaker:** All those in favour will stand one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Galt, Doug	Miller, Norm
Baird, John R.	Gerretsen, John	Molinari, Tina R.
Barrett, Toby	Gilchrist, Steve	Munro, Julia
Beaubien, Marcel	Gill, Raminder	Mushinski, Marilyn
Bisson, Gilles	Guzzo, Garry J.	Newman, Dan
Bountrogianni, Marie	Hardeman, Ernie	O'Toole, John
Bradley, James J.	Hoy, Pat	Ouellette, Jerry J.
Bryant, Michael	Jackson, Cameron	Patten, Richard
Christopherson, David	Johns, Helen	Peters, Steve
Chudleigh, Ted	Johnson, Bert	Phillips, Gerry
Churley, Marilyn	Kells, Morley	Ramsay, David
Cleary, John C.	Kennedy, Gerard	Runciman, Robert W.
Colle, Mike	Kormos, Peter	Sampson, Rob
Conway, Sean G.	Marchese, Rosario	Sergio, Mario
Crozier, Bruce	Marland, Margaret	Smitherman, George
Cunningham, Dianne	Martel, Shelley	Spina, Joseph
DeFaria, Carl	Martin, Tony	Stewart, R. Gary
Di Cocco, Caroline	Martiniuk, Gerry	Tilson, David
Duncan, Dwight	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	McLeod, Lyn	Witmer, Elizabeth
Ecker, Janet	McMeekin, Ted	Wood, Bob

**The Acting Speaker:** All those opposed will please stand.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 63; the nays are zero.

**The Acting Speaker:** I declare the motion carried.

## ORDERS OF THE DAY

### STUDENT PROTECTION ACT, 2001

#### LOI DE 2001 SUR LA PROTECTION DES ÉLÈVES

Resuming the debate adjourned on November 26, 2001, on the motion for third reading of Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students / Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection.

**The Acting Speaker (Mr Michael A. Brown):** The member for Trinity-Spadina. We'll wait for a few seconds to allow the traffic to clear the House. We'll add 10 seconds and the floor will go to the member for Trinity-Spadina.

**Mr Rosario Marchese (Trinity-Spadina):** Thank you for allowing some of the members who have other business to go so that I can have the peace of making a speech on Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students.

Yesterday I said that this was a bill we support because anything that protects students from sexual predators is a good thing. All the members of this assembly, of course, have stood up in support of the bill and yes, there have been reservations. One of the main reservations that we have spoken to is the fact that many of those teachers in the private system, the ones that you have decided to now fund out of our taxpayers' dollars, are not certified. That means that those teachers who teach students but are not certified are not subject to Bill 101. Therefore, we argue, we are leaving students unprotected by Bill 101, and we argue that it's wrong. If you introduce a bill that is designed to help students, then that bill should cover all teachers, and all teachers should be subject to this law. Many of those uncertified teachers in the private system are not subject to the law; therefore we leave our students vulnerable to sexual predators.

So I have argued, how can you introduce a bill designed to help students and not cover every possible teacher that could potentially commit a crime of this sort against any individual? How could you do that? How could you not provide within this bill or in some form a mechanism to make sure that all students are protected?

Because, you see, if you are a teacher, certified or uncertified, you potentially can abuse someone. You have the trust of students whether you are certified or not. That means they should all be subject to this law. But in the wisdom of this government, some students will not be protected. I ask you folks, why? Why would you do that? Why would you not be intelligent enough to make sure that the criticism that comes from the opposition and others in society is diminished by your introducing a mechanism of sorts that makes certain that all teachers are covered?

You wasted no efforts to make sure that those teachers in the public system who are issued a permit to teach by the minister and are not certified will be covered by this legislation, but many of those in the private system—dare I say half of them? We don't know; we don't have the exact figures—are not covered. You made an effort for those in the public system; you made no effort for those in the private system. I don't understand why M<sup>me</sup> Ecker would not move expeditiously to deal with this issue.

I don't understand why the finance minister, M. Flaherty, did not move as fast on solving this issue as he did to give taxpayers' dollars to private schools. The illustrious M. Flaherty has been able to find public dollars to fund private schools, and soon enough we will be dealing with the \$5-billion cuts that the member from Management Board says we're going to have to cut because, he says, "We don't have any money in the kitty."

Merciful are we, Ontarians, that Mr Stockwell has joined the leadership debate, because he's the only man in that group of the men and women running for leadership who has been bold enough to say, "If we don't have the money, maybe we shouldn't be giving those tax cuts to the corporate sector and to individuals who otherwise do not need our money." Mr Stockwell is the

only man leading the debate in the Conservative caucus to say, "We have a problemo here. We don't have any money in the kitty and maybe we shouldn't be giving it away in income tax cuts if we are in danger of incurring a deficit and/or if we've got to cut five billion bucks out of the programs that we value." God bless Stockwell.

**Mr Steve Gilchrist (Scarborough East):** That would be his riding name.

**Mr Marchese:** You know something, Monsieur Gilchrist? I suspect that Mr Stockwell, the Minister of Labour—

Someone is trying to intervene in some way, Mr Speaker, but he sat down again.

**Mr Gilchrist:** Riding names; you know better.

**Mr Marchese:** I said, "Mr Stockwell, the Minister of Labour"—

**Mr Gilchrist:** On a point of order, Mr Speaker: I wonder if after the dozen or so times the member has transgressed, you might remind him we use only riding names in this august chamber.

**The Acting Speaker:** You're quite correct. The member should know that we use only riding names.

**Mr Marchese:** Speaker, I said, "Merciful are we that Mr Stockwell, the Minister of Labour," while you were engaged there. I did say "the Minister of Labour." Please, please. I am happy that he's joined this debate, because without him they would all have been, according to the reports of the media and according to M. Harris, all united in this position that they are in support of tax cuts to the corporate sector and to the individuals who are enjoying the fruits of the kindness of this government to give away our money to people who don't need it. I suspect Mr Stockwell, the Minister of Labour, probably has said for years and years to that Conservative caucus, "We are nuts," imitating the mayor of Toronto. "You people are nuts. We're nuts to give away this money that we don't have and that we're going to need down the line."

I suspect, Mr Dunlop, my good buddy, that Mr Stockwell, the Minister of Labour, has from time to time—probably more than from time to time and on a regular basis—reminded you that if you don't have any money, don't give it away in income tax cuts. So M. Flaherty has—

1740

**Mr John O'Toole (Durham):** Uh-oh.

**Mr Marchese:** The Minister of Finance. Someone is paying attention. I'm glad you're here and paying attention, member from Durham.

The Minister of Finance was so kind to give away your taxpayer's dollars, and now we have Mr Eves—he's not a minister any longer—coming back with that big heart, and he's going to say to you, "If we're going to give our taxpayers money, we're going to make sure they are as accountable in that private system as they are in the public system." Yesterday I argued what's the difference between the Minister of Finance and the former Minister of Finance, M. Eves, with respect to this position of private schools? Very little. They're still both

going to be spending money. It's just that Mr Eves is going to say, "We need to make private schools accountable," and M. Flaherty, the Minister of Finance, says, "No, we don't." What's the difference between the two? Nothing, except we're all going to be spending \$500 million, \$600 million or \$700 million, depending on how many end up in the private school system. We're going to leave our treasury with \$600 million or \$700 million less because this minister has decided, in his wisdom and kindness, to give away our money to those who choose a private education.

Those who choose a private education do so because of class interests, by and large. Those non-denominational schools are, by and large, designed to have those children meet children of the same class as those parents, meaning people who've got money. They want their children to mix with the children of parents who've got money as well. It's a class system. In the non-denominational system, it's not religious in nature, and so some choose to send their children to religious schools because of religion, but the non-denominational ones are class-based.

I as a New Democrat and all New Democrats were unequivocal in our opposition to private schools. Each and every member of the New Democratic Party unequivocally stated, "We do not support private schools because our public system serves everyone well," and that's the way it should be. I can't speak for other political parties, but for ours I can say we were unanimous in our position in this regard.

Yesterday I spoke about how we of course support this bill and how when I attempted to move a motion in the committee—a motion brought forth by children's aid societies that said, "Look, we deal with child abuse. We have the information. We investigate problems before you, school boards, even know about them." The children's aid society urged us to make an amendment that would make sure children's aid societies, which investigate matters of child abuse, would be able to offer that information to the school boards freely, at no expense to us, all designed to protect young men and women who otherwise are potentially abused—not who otherwise, but kids who are abused in the system. They would find out through a report submitted by children's aid to the Ministry of Education and to school boards that something is wrong and here we have a report that we should be using and dealing with as expeditiously as possible, but the committee members rejected that amendment.

My amendment wasn't designed to be ideological. It was not a socialist amendment; it wasn't. It was just a human reaction to a human problem, and we introduced a motion, an amendment to deal with it on the basis that we are protecting young men and women.

*Interjection.*

**Mr Marchese:** I don't have time for that.

There was no ideological interest whatsoever, but the committee unanimously rejected it. They gave me no comfort that somehow this issue would be addressed, yet

this bill was designed to help kids and to protect them, to do preventative work where it was possible. They offered their advice and their expertise, and we rejected it. Each and every single member of the Conservative Party rejected that amendment, and I say it's wrong. When you need them to help you, when you make a useful contribution as an opposition member, they reject each and every one of the proposals you make. It's insane.

These people are the very people who are closing down our schools, the very people whose funding formula is closing our schools. So many of our schools are under threat of closure—St Francis in my riding. In fact, St Lucy's had to close a while ago on the understanding that St Francis would take up those students, and now St Francis is on the chopping block. It's unbelievable what is happening.

Many boards, of course, are strapped. The Catholic board in Toronto is strapped for cash and they are closing schools. I urge the Catholic school trustees to stand up for those families and those students and not close those schools that are so important to our communities.

St Vincent de Paul school in Mr Kennedy's riding is threatened with closure. Many schools are subject to this problem, and I'm saying our communities need our schools. For demographic reasons, I argue, so many people come and go, and often more come than leave. If we had shut down some of the schools in our public system 20 years ago, we would not have had schools for those students who now populate my riding in great numbers.

Please, we support this bill. Changes are drastically needed. Please listen. Help. Convince me that you're making those amendments that will help those young people, men and women all.

**The Acting Speaker:** Questions or comments?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** The member for Trinity-Spadina spoke at length the other night, and he had some time today to speak on this bill as well, and I'm certainly pleased to put in my two cents' worth. He spoke at length about choice in education. I know he talked about the religious schools and private schools and whether it's right to fund them or not right to fund them.

I know the question for a long time has been that even the UN said our policies in a way were not quite open in the sense that we were only funding the Catholic schools and francophone schools, but from the point of view of the Jewish schools or Sikh schools or whatever else, we were not funding. I think to level the playing field, the government has gone ahead and made a tough decision and extended funding to those schools. In my community, where we have a Khalsa school, which is a Sikh religious school, they are quite happy about it. I just wanted to add that.

**Mr Gerard Kennedy (Parkdale-High Park):** I'm pleased to briefly again join this debate. It is very problematic, I think, that even on an issue such as sexual abuse, we can't have an ideological-free zone in this House. There are members on the other side who cannot

put down their political inclinations and override them on behalf of some of the most vulnerable people in society: children who have been subject to predatory behaviour anywhere in society.

In fact, on the other side of the House, demonstrating a flawed democracy in Ontario today, they rejected six amendments that would have extended the protection of the bill, which we're now in the final throes of discussing here in this House, to all children in this province. It would have extended protection to 50,000 children who are taught by uncertified teachers in private schools. It proposed a reasonable means for doing so. It respected the government's thrust in the sense that they want to put public dollars into private schools. We disagree with that. But it defies logic and it defies any reasonable discharge of responsibility that they would extend that ideological bent to not protecting the children in those schools. It makes no sense.

Further, we put forward amendments to ensure that this wasn't any kind of implication or exercise on public school teachers but on everyone in a trust position. The government argued that we needed to have trust protection in this bill, not because there's a huge problem but simply because it's a delicate situation, with adults charged in a trust position with children. But they rejected extending that to some of the other workers in the system. So we're left with less than what it should be. We're left with an ideologically marred approach, one also that ignores the work of Justice Robins and doesn't provide the resources for the thing the vulnerable children in this province most want from this House: not action after the fact but prevention. The government ignored 12 recommendations by Justice Robins and it's regrettable.

1750

**Ms Shelley Martel (Nickel Belt):** It's always a pleasure to listen to my colleague from Trinity-Spadina. I want to follow up on one of the most important points he raised, a point we've been raising during this debate on this bill: the discrepancy that the government allows to continue in this bill between the treatment of teachers who engage in sexual predation and between non-certified teachers who under this bill can get away with abuse of children. I don't understand how anyone on the government side cannot understand that and cannot want to have this fixed. Surely all of us recognize the positions of trust that teachers, certified or not, in public schools or private schools have with the students they teach. Those students spend enormous amounts of their time during their early years with teachers in a classroom setting. They can be mentors or they can be predators, and we have examples both in public and in private schools of that happening to students. We cannot continue to have the discrepancy the government now allows for in this bill.

So far I've only heard one government member, the member for Lambton-Kent-Middlesex, Mr Beaubien, several weeks ago say, "You're right, this is wrong. We need to be sure that whether you're a certified teacher or

a non-certified teacher, private school, public school, everyone has to follow the same rules and everyone has to be responsible. Anyone who is found to be a sexual predator has to pay a price for that, regardless of what system you teach in."

It is incumbent upon this government to protect students, whether they are in a private school or a public school. That's your responsibility and you can do that through mechanisms in this bill. I urge the government, as this bill shuts down, to do the right thing. Protect all students from sexual predators in our classrooms.

**Mr Garfield Dunlop (Simcoe North):** I just wanted to very briefly respond to the member for Trinity-Spadina's comments. Once again he's brought some interesting remarks to the debate here, the third reading debate, this afternoon. I just want to say to you that this government and the Minister of Education take the recommendations of Justice Robins very seriously. We think that Bill 101 is a great step in implementing the recommendations toward making our schools safe from any types of sexual predators that may be in the halls of our schools.

On that, I'd like to thank everyone for the debate this afternoon. It's been an honour to speak here.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: The standing orders provide for 10 minutes for questions and comments in rotation, with a maximum of two minutes per party: eight minutes for members of the assembly and a two-minute remnant for the person whose speech is being commented upon or questioned. I noted that there was over a minute left of the time used by the last questioner and commenter and I'm putting to you, Chair, that that time ought to be part of the overall eight minutes of questions and comments that are allowed to mere backbenchers, the little people, we little people here in the assembly who get to speak so rarely.

**The Acting Speaker:** Thank you. I appreciate the member for Niagara Centre—however, that is not what the standing order says. The standing order says that there will be up to four members who have up to two minutes each, as does the time for response. You are very good in raising this issue just when I've discovered that I've lost the one lens of my glasses and can't read this specifically.

**Mr Kormos:** In that regard, I apologize and I thank you very much for the Speaker's direction. I really appreciate that, sir.

**The Acting Speaker:** Response, the member for Trinity-Spadina.

**Mr Marchese:** I appreciate—

**Mr Bert Johnson (Perth-Middlesex):** I rise on a point of order, Mr Speaker.

**The Acting Speaker:** Stop the clock. The member for Perth-Middlesex.

**Mr Johnson:** Did you stop the clock before?

*Interjections.*

**The Acting Speaker:** Member for Trinity-Spadina, response, two minutes.

**Mr Marchese:** That's very clever of you, Speaker, because as soon as you stopped the clock, I think he forgot what his point of order was.

Anyway, I want to thank all the four speakers for their comments. The member for Simcoe North argues that this bill is a good step in preventing sexual abuse against students, and he's right and we've argued that, we defend that. We defended several other problems here that you have not spoken to and that's what saddens us on this side.

But before I get to that other point, I want to say to the member for Bramalea-Gore-Malton-Springdale that he argues that, yes, parents have a choice. I argue, as a New Democrat, that if you as a parent choose to send your children to a private school, God bless you, that's where they should go, and you should pay for it, not the taxpayers of Ontario. That is the way we've argued that. He says they like it in his community. I argue, as someone who's very anti-racist and often speaks of those issues in

this place, that if you want people to learn about anti-racism, we do it in the public system.

That's where we teach our young men and women how to grow up as anti-racist kids in a multicultural society. You do not do it by separating kids in different—I was going to say ghettos, but they're not ghettos—ways of isolating the different communities of colour or religion. You do not do it that way.

With respect to this, if you want to protect those students, then protect those students who are not protected in the private schools, because those teachers who are not certified are not subject to this law, and therefore you're leaving some behind.

**The Acting Speaker:** Thank you. It being 6 of the clock, this House stands adjourned until 6:45 of the clock.

*The House adjourned at 1757.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO  
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		York West / -Ouest	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 27 November 2001

Mardi 27 novembre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

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Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 November 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 27 novembre 2001

*The House met at 1845.*

## ORDERS OF THE DAY

### RESPONSIBLE CHOICES FOR GROWTH AND FISCAL RESPONSIBILITY ACT (BUDGET MEASURES), 2001

### LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILITÉ FINANCIÈRE (MESURES BUDGÉTAIRES)

Resuming the debate adjourned on November 26, 2001, on the motion for second reading of Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / *Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.*

**Mr Peter Kormos (Niagara Centre):** I appreciate this opportunity, and I especially appreciate it because—can you believe it?—notice of motion is served on us today. This is a very important piece of legislation and I understand its origins and I understand its motivation. It reflects the Conservative government's agenda of yet more tax cuts, and I understand that. But the debate is going to be cut short; the debate is going to be stifled.

Members of this assembly are going to be subjected—all of them, every one of you in here this evening, all of you sitting in these benches, in opposition benches, in government benches—are going to be denied the opportunity to speak out on this bill, this bill with so many facets. There are members of the New Democratic Party caucus who want to speak to a number of areas of the bill. I very specifically want to speak to the yet further tax cuts, but the gag order, the time allocation motion, the closure motion that was presented today means that there will be but two hours of debate on the closure motion; not on this bill, not on this mini-budget—because at the end of the day that is exactly what it is.

It is a mini-budget; to call it anything else is to be less than candid or forthright or straight about what's really happening here. Indeed, earlier today you heard David Christopherson, our finance critic—in view of the fact that one of the members of this government's executive council, one of the members of its cabinet, a prominent member of its cabinet, said "Five-billion-dollar deficit?

Are you nuts?" almost in that same manner. "We could be looking at \$6 billion or \$7 billion in deficit." In the face of that, this government persists—

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Is that NDP accounting?

**Mr Kormos:** These are the numbers. It's Mr Tsubouchi, it's the Chair of Management Board who leaked. It was interesting, because it was two Sundays ago that he leaked \$5 billion, and now a leading member of cabinet says it could be as much as \$6 billion or \$7 billion. That is indeed a shocking revelation, and were it not for the leadership race in the Conservative Party of Ontario, that revelation may never have occurred.

So in the context of yes, a significant recession—and you know what I find remarkable? I have so little time and there are some folks I want to talk about, some good friends of mine from down in Niagara who are directly impacted by this bill and, for me, at the end of the day, if only because of those folks, I'm voting against this bill. It's for a whole lot of other reasons too, but for those folks alone I'll be voting against this legislation, Bill 127, this mini-budget.

## 1850

First of all, let's talk about the restriction on debate, because after today, that's it, friends. Not a single member of this House, after today, will be allowed to debate this bill or any facet of it, never mind the huge tax breaks for profitable corporations and yet more tax cuts for some of the wealthiest people in this province, and indeed some \$300 million taken out of public coffers, taken away from public education to private—some of them for-profit—schools, because after today the debate is finished. After today, we'll have but one short afternoon to debate the time allocation motion, and we know what happens with those because nary a single member of this government is prepared to vote against them. Then, bang, the next time second reading is called, no more debate, voted on; third reading called, but an afternoon of debate to be divided equally on third reading, the most significant stage of the process. What's interesting, and let's consider this and be very careful: no provision in the time allocation motion for referral to committee.

Well, I've got news for this government because I tell you, the opposition will do everything it can to force this bill to the committee.

**Mr Rosario Marchese (Trinity-Spadina):** Which opposition? Are the Liberals going to oppose it too?

**Mr Kormos:** I tell you that New Democrats want this bill to go to committee so that members of the public

have an opportunity to tell you what your tax cuts mean to them.

Let me tell you about some real folks, some real people, some people I know real well.

Let me tell you about Tom Wayman. The last time I spoke with Tom down at the legion in Thorold, Saturday night, the night before Remembrance Day—it was November 10. The legion of course has a dinner on the evening before the Remembrance Day parade. Tom Wayman and his wife were there. Tom's just an incredible guy, a hard-working guy. He's been a valuable member of that community. He's also a veteran of the Second World War, served in Canada, Britain and, yes, Holland. And we know about our service people who served in Holland, don't we? But you see, Tom Wayman suffers from macular degeneration.

I don't know if you know what macular degeneration means, Speaker, and I hope you never have to learn or find out in a personal way, but macular degeneration affects people of all ages—let's make that very clear. Just the other night I was over at the Slovak Hall in Welland where the Rapelje Lodge and Sunset Haven staff were having their annual Christmas dinner and dance. Good folks; I enjoyed being there with them. I appreciated the chance to join them. These are the hard-working people in our nursing homes, the people who take care of senior citizens, our folks, our grandfolks, and who do so under increasing and incredible pressure because of this government's cuts to those types of services.

But I was over at Slovak Hall down on Hagar Street in Welland at the annual dinner and dance for the staff of Rapelje Lodge and Sunset Haven, the two seniors' homes in the city of Welland—public seniors' homes, the kind of seniors' homes we should be building in this province rather than the private, for-profit ones which have tended to dominate in the course of the last six years of Conservative government here in Ontario. I met a young man there who isn't a senior, who's not over 50, who's in his thirties. He's a victim of macular degeneration as well.

People like Joan Haymes in Fonthill, a wonderful woman—macular degeneration—who happens to be a senior as well. You see, macular degeneration is a disease that affects the eyesight. It's one of the leading causes of blindness anywhere. If you don't get the treatment, you go blind. That's what happens. One day, you can see things around you. You can see the trees, you can see the sky, you can see your kids and your grandkids, you can see the river flowing through your community, or, in my case, the canal and the river—and the next day you're blind. There is a treatment for macular degeneration. It's a relatively new treatment. It's a treatment that's been approved by the Food and Drug Administration in the United States. It's a treatment that's been approved federally by the authorities here in Canada. It's a treatment that's been approved by—one, two, three, four—I believe as many as five provinces. In fact, Quebec, Alberta, Saskatchewan, Nova Scotia and British Columbia are all provinces which have listed this treatment so that people who suffer from macular degeneration—

like Tom Wayman, the World War II vet, like Joan Haymes from Fonthill—can save their eyesight, can escape the prison of blindness in their senior years.

But, the treatment regimen costs as much as \$15,000. I'm the last person in the world to come to the defence of pharmaceutical manufacturers, but the reality is that the pharmaceutical manufacturer has a new product recently developed and the fact is between the medical fees, the cost of the pharmaceutical and the treatment process, the cost is as much as \$15,000. Tom Wayman, senior citizen, veteran of World War II, a hard-working member of the community of Thorold, is going to have to pay that out of his own pocket if he dares to be so arrogant as to want to save his eyesight. Joan Haymes, senior citizen, is going to have to pay that \$15,000 out of her own pocket if she dares to be oh so demanding as to want to save her eyesight.

A young man that I talked to at the Slovak Hall who works hard—he works hard at a job that contributes a great deal to the community but he doesn't earn a whole lot of money, and he works hard for every penny he does earn—is going to have to pay for it out of pocket because this government won't list that treatment for macular degeneration among the treatments and pharmaceuticals that are provided for people who deserve and require medical treatment in the province of Ontario, notwithstanding that the treatment has been approved by the Food and Drug Administration in the United States, by the federal health authorities and, as I say, notwithstanding that it's been listed in the provinces of Quebec, Alberta, Saskatchewan, Nova Scotia and British Columbia.

Why, just the other day I met with a group of people who explained that this government's delisting of audiology services—do you know what that means? Testing your hearing, everything from very little kids, for whom hearing testing is an incredibly important thing—do you understand why? Because if a kid's got a hearing problem, the earlier you detect it—and it's remarkable; I've seen the labs and the work that they do, and audiologists can detect hearing problems or hearing loss at very, very early ages, literally babes in arms. They can. The earlier you detect hearing loss or hearing impairment, the more readily you can respond to it, if need be, using a hearing aid. At the end of the day that saves thousands of dollars—no, millions of dollars—in speech therapy, because a youngster learns how to speak by virtue of what he or she hears. Yet this government cut audiology services provided by audiologists. It delisted them. In other words, it created privatized health care for people who have to go or should be going to an audiologist to have their hearing tested.

You have to understand, where I come from—heavy industry, foundries, drop forges, steel mills, arch furnaces—I'm telling you, hearing loss is a fact of life for working women and men, and it's a reality for so many other people: infants, children and adults alike.

This government delisted audiology services. Why? Why did it do it? It has acknowledged that it's done it so that it can save \$7 million-plus from the health budget.

That is an incredibly frightening proposition that this government is about. As a result of Bill 127, the bill that this bill is killing debate on, we're going to give wealthy, big corporate entities tax breaks to the tune of \$300 million to private schools and another \$1 million to the richest people in this province.

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Is it any wonder then why this government has to cut health care services to save money? It has to cut health care services, it has to cut audiology services, to save what it says is going to be \$7 million, but we know that at the end of the day people are going to be paying five, six, seven, eight, nine, 10 times that because of the hearing problems as a result of inadequate audiology services being provided to folks in every community in this province. But it's cutting \$7 million to help finance that tax cut for corporations. That's what's happened.

And it's not listing the treatment for macular degeneration. It's making people like Tom Wayman, Joan Haymes and the young man I told you about over at the Slovak Hall pay for the tax cut for profitable and wealthy corporations by virtue of not listing the treatment for macular degeneration. In other words, that means these people are having to pay up to \$15,000 out of their own pockets, but they don't have the money. I'm telling you, they don't have the money. They're as hard-working as any people could be, all three of the ones I've spoken of, and there are hundreds more of them in Niagara region alone, thousands across this province. I told you, it's one of the leading causes of blindness ever, anywhere, among anybody, and this government won't list the pharmaceutical treatment for macular degeneration because it needs the money that it would otherwise pay through our health care system for that treatment. It needs that money to pay for the tax cuts for big, private, profitable corporations.

This government won't list the treatment for macular degeneration. It will force people to not just dig deep into their pockets, but to prevail upon relatives to mortgage the home again in their senior years, to forgo some of the basic necessities of life to get that treatment because they've got to pay for it out of pocket. It's called privatized health care; that's what it's called. Just like audiology services, this government won't list those treatments. It won't make them a part of our public health care system, it won't make them a part of medicare, because this government wants to take money from the Tom Waymans and the Joan Haymeses of Ontario. This government wants to dig deep into their pockets to pay for tax breaks for profitable corporations, for corporations that are making money. Because the only corporations that get tax breaks are the ones that are making money and would otherwise have to pay taxes.

Which leads us to the second consideration, because part of the rationale that government members might be inclined, should they dare, to give you for tax cuts for profitable corporations is that somehow it buoys up the economy in times of a recession—because, friends, we are in a recession, make no mistake about it. Ask the 300

GM workers who have lost their jobs whether or not we're in a recession. Ask the 27,000-plus who have lost their jobs in the last several months alone here in the province of Ontario—good jobs, value-added manufacturing jobs, production jobs. Ask them whether or not we're in a recession. Ask retailers across this province. Ask car dealers. Ask people who work in The Bay or in Zellers and who have seen those non-lineups at the cash register this Christmas season. They know we're in a recession.

That tax break for profitable corporations does nothing to help the corporations that are struggling, does nothing to help the corporations whose primary customer was the American market. As everybody here knows, over 90% of our market, in terms of exports, is the United States of America. When the American economy slows down, when American industry isn't buying our manufactured goods, we're slowing down too. It's the nature of the beast, especially when you develop an economy that has no independence and that's entirely dependent on the American economy. Welcome to the world of free trade, my friends. Free trade, how do you like it so far?

So tax cuts for profitable corporations do absolutely nothing to help out Algoma Steel—Algoma Steel, up in the Soo, Sault Ste Marie, where Tony Martin has been working like a dog, quite frankly, to do everything he can to keep that company alive, with no help from this government. Corporate tax cuts aren't going to help keep Algoma Steel open. They aren't going to help keep the thousands of workers working at Algoma Steel employed. Corporate tax cuts, which take money out of the pockets of Joan Haymes, Tom Wayman and others like them who suffer from macular degeneration, those corporate tax cuts that put money into the pockets of the big profitable corporations, are the same corporate tax cuts that are helping to undermine and pull the rug out from underneath those struggling companies that are on the verge and in the course of perhaps mere weeks, if not months, will be shutting their own doors, creating even more job losses in this, Mike Harris's Ontario.

You see, this budget is very much about folks in my communities and folks across this province who suffer from macular degeneration whose treatment ought to be a part of our OHIP program but whose treatment isn't a part of that OHIP program because this government wants to cut OHIP costs so it can pay for tax cuts. I say that's wrong. I say it's immoral. I say that's not the kind of Ontario that people like Joan Haymes and Tom Wayman worked so hard to build. And I say that New Democrats will not only vote against this bill but will continue to fight to restore delisted treatments to OHIP and to ensure that treatments for macular degeneration get on that list promptly to save eyesight, to save people's lives, to save people's futures, to make this the place it ought to be.

**The Acting Speaker (Mr Michael A. Brown):** Questions or comments?

**Mr John O'Toole (Durham):** I'm always pleased to hear from the member opposite and his particular per-

spective on how to sustain the economy of Ontario. In fact, if you want to look to the future, you have to look to history to see what their policies in the past have resulted in. It's an outstanding example of failure, really. They didn't see it quite the way the government or the people of Ontario saw it, that you can't tax yourself into prosperity and you can't as government spend yourself into prosperity. They ended up with a difficult economic situation in their term of office between 1990 and 1995 and their legacy is still being dealt with by the taxpayers of Ontario.

With all the best of intentions, I really feel that despite the difficult economic times they had, the evidence is clear that they exacerbated the problem by continuing to spend in excess of what they could raise in the economy. The economy I refer to is the private sector, that is, small business in Ontario. They tended to try to spend money by taxing people, and what they found was that the people they were taxing slowly went out of business, which meant they got less revenue to help these people with macular degeneration and the other examples the member has brought to our attention.

What we try to present is an option for the people of Ontario to consider. The success of the Harris government has been that by encouraging investment, encouraging entrepreneurship, you actually, through incentives—that is, don't tax every cent they make—encourage them to invest their time and talent so we have the increased revenue to invest in social and other programs that the people of Ontario need. I think they've got the economic message wrong, and the debate is still continuing.

**Mr David Ramsay (Timiskaming-Cochrane):** I'd like to comment on what the member mentioned in his speech, and now also the government member, in citing the one example of macular degeneration, an illness that many people of all ages suffer. I think it's a prime example of the trickle-down theory this government proposes, that it's somehow going to fix the maladies of people who suffer from a degenerative disease such as this. It's just not true.

This government persists in forgoing revenue, such as the latest \$2.2-billion corporate tax cut, while we have people who are literally going blind through a degenerative disease such as macular degeneration. This is absolutely wrong. I've got constituents in my riding who write to me and say, "I cannot afford the \$15,000 treatment, a one-time treatment, that would preserve my eyesight." Besides being the right social thing to do, it's also the right economic thing to do to preserve that person's sight, to make sure they are productive citizens.

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But no, this government says, "The cupboard is bare. We've got to go to Ottawa and look for more revenue." Yet you have revenue sources there and you forgo them. You say, "We'll allow the most profitable corporations to have further tax reductions," while we have people who are going blind in Ontario. That's wrong, and I think it is a good example of the mean-spiritedness of this government. You should be taking care of the most vulnerable

people. While you and I could maybe afford that treatment, many people whom we represent can't. We've got to be caring and look out for those people, because that's what we're sent here to do. The big shots and the people who make the big wages can speak for themselves in society. I think we're here to represent the people who can't speak for themselves and can't take care of themselves and need that help. That's what government's for and that's what we should be doing in this community of the Legislature: protecting those people who need that help.

**Mr Marchese:** I congratulate my friend from Niagara Centre for his speech. He speaks with vigour each and every time in defence not of those who have but of those who do not have, because that's what our role as New Democrats is all about. He knows, as all New Democrats know, that the market doesn't work for everybody. Some people fail; they fall through the cracks. So he argues that the role of government is so critical in defence of those whom this government is leaving behind. That's what's most important about what the member for Niagara Centre says each and every time.

He added that this subject is so important that it's wrong for the government to introduce a strangulation motion on debate on this very important subject. We look forward to the debate of the Tories to defend their policies, as I look forward to the Liberals in the next few moments to see whether they too will oppose your policies as vigorously as we do.

I say to the Tories, if you have the fortitude you'll stand up and defend your policies. Don't you strangle debate tonight by shying away from the debate. Show the people of Ontario that you can defend what you have introduced in this place and that you won't run away from it, hiding behind the closure motion you've introduced, that you won't run away tonight by not debating this bill. Show us you can do that. And I look eagerly toward the Liberal Party member who is here to see whether or not he will take his 20 minutes and debate this bill.

**Mrs Margaret Marland (Mississauga South):** I'm happy to have the opportunity just for two minutes to say something about Bill 127, Responsible Choices for Growth and Fiscal Responsibility.

When I listen to my colleagues across the floor and hear them talk about compassion and responsibility for all the people in this province, I can't really believe that they can stand in their place and say what they're saying tonight. They would have you believe, particularly the New Democratic Party, that they have a corner on compassion. You don't have. Yes, you can be compassionate, but to suggest that you are the only people who speak for those people with problems in this province is a very undesirable thing for you to say.

This government has created 800,000-plus net new jobs through its fiscal responsibility and amendments to the Labour Act and its total management of the economy in this province. And what about the 600,000 people who no longer depend on welfare, who no longer are at home

and whose children see them at home while their friends' parents go off to work? Now those 600,000-plus families are role models for their children and the next generations to come, which, I respectfully suggest, is as important as any other aspect of getting people off welfare. It's to go back to where welfare is only a bridging at the time of—

**The Acting Speaker:** Thank you. The member's time is up.

Response, member for Niagara Centre.

**Mr Kormos:** I'm talking very specifically about the delisting of treatment regimens and the refusal to list others. The delisting of audiology services is all about this government wanting to pull \$7.7 million out of health care so they can use it to pay for their tax cuts. The refusal to list the treatment for macular degeneration, which will cause certain blindness for those who suffer from it, be they young or old, is all about this government having to raid health care to pay for its corporate tax breaks and its income tax breaks for the wealthiest people in this province.

Look, the minimum wage here is \$78,000 a year, and there's but a handful of MPPs who don't make more than that. I put this to you: the tax cuts this government has created for the wealthiest and the highest-income earners and for the most profitable corporations have meant cuts to health care, have meant the delisting of audiology services, have meant that folks like the folks I've been talking about tonight have to dig deep into their own pockets to pay up to \$15,000 for treatment for macular degeneration, and their incomes can't sustain it.

I don't care if I've got to pay 20 more dollars in income tax, 40 more dollars in income tax, 60 more dollars. I don't care if I've got to pay 100 more dollars in income tax. At the end of the day, that's money well invested, and I'm prepared to pay that as a taxpayer to ensure that folks like Tom Wayman and Joan Haymes get the treatment that OHIP is designed to provide for them. I don't want your crummy tax break if it means that people are going to go blind because they can't afford treatment for macular degeneration out of their own pockets. I say that's immoral. I say that's criminal.

**The Acting Speaker:** Further debate?

**Mr O'Toole:** I'm very pleased to rise as the parliamentary assistant to the Minister of Finance and speak on Bill 127. It's important to make sure we frame the discussion in a balanced way. It's clear that the opposition Liberals have opposed every single tax cut, and yet at the same time, if questioned in scrums and other things, it's clear they wouldn't reverse those tax cuts. At least that's their flip-flop message. They voted against them but they wouldn't roll them back, so we're not really clear what we'd get from the other side.

When I speak to the NDP, it's very clear that the member for Niagara Centre has made an appealing case for the necessary compassion, that we as public people have to look after the most vulnerable in society. As the member from Mississauga South just said, they don't have the cornerstone on compassion or sympathy or

empathy for the people of Ontario whom we're all elected to serve.

It's important to step back one step farther and frame the discussion this way. Our premise is based on the fundamental concept that first you have to have a strong economy, with jobs and as high a level of employment as possible, to generate the revenue and provincial income tax and sales tax etc so you can support important, quality social and infrastructure programs—"social" meaning services for people. Whether it's people in health care or education or people with special needs, if one looks closely at the budget and more recently at the economic statement, that's exactly the course this government is on.

I'm very pleased tonight to be reassured that there are members in the House here who—and I want to make special mention of some members here: the Honourable Brenda Elliott, the member from Guelph-Wellington, and the Minister of Intergovernmental Affairs is here, as a number of others are, to pay some respects. The Premier was here earlier this evening. In fact, I spoke with him at some length—

**The Acting Speaker:** Order. You would know that it is out of order to refer to members' presence or absence from the House.

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**Mr O'Toole:** Certainly, Mr Speaker. I respect your views on that, but I'm really trying to speak to the people of Ontario, whom it is my strong desire to serve as effectively as possible.

Bill 127 will deliver on the promises made both in the 2001 budget and in a series of announcements made this fall and would legitimate the responsible choices made by this government for supporting continuing economic growth.

Tax cuts have been an integral part of this government's comprehensive economic policy since 1995, and I think the evidence is in at this point. It's true. Tax cuts really do create jobs, over 800,000 new jobs. The people on the other side are going to say, "Well, you had to spend money in the form of tax cuts. That has reduced revenue that you would have otherwise received." But what that has resulted in—it's important to put this in an understandable form. Actually, the cost, the forgone revenue, was about \$4 billion, but the increased revenue due to the greater openness of the economy, part of it being underground, and the increased employment resulted in—listen to this—\$15 billion. That money, the \$15 billion, didn't go into anyone's pocket except for the people of Ontario in the form of services: more money for education, more money for health care and more money for community programs. I could always stand here and be vulnerable on the point that there is arguably never enough money to satisfy all the needs of my constituents and of the people of Ontario.

Because of our commitment to cutting taxes, the tax burden on people and small business, Ontario has enjoyed strong economic growth and unprecedented job creation, as I mentioned. Tax cuts raise consumer

confidence, attract investment and stimulate the economy as no other government initiative can. After all, the money we spend we had to take from the taxpayers in the first place. That's why, at this time of projected slower growth in the economy, it is critical to press ahead with our plans to continue to be tax-competitive with other jurisdictions and to allow people on fragile incomes to keep more of their own money.

This bill proposes to accelerate to October 1 the personal income tax, business income and capital tax cuts announced in the 2001 budget, originally planned to start on January 1, 2002. We've just moved those forward to give some relief to small businesses and individuals who need that relief at this time. It's a stimulus to the economy in this slower economic growth period.

It also proposes to accelerate the application of the small business tax rate to more small businesses in Ontario. The proposed tax cut shows our faith in the tremendous growth potential for Ontario, as well as the entrepreneurial spirit and productivity of the people we're elected to serve. We aren't patronizing. We believe that taxpayers have the wisdom and the decisiveness to make the decision to spend their hard-earned money wisely. In a period of economic uncertainty, we are confident that these tax reductions will help the province's economy to stay on track firmly, as a leader of this country.

It's important to note that the federal government has been a quiet beneficiary of our economic strategies. In fact, their revenues have increased by over \$50 billion because of the policies of the Mike Harris government. No, they're not ready to step up to the job and give their fair share to health care. You would know, Mr Speaker, because in your other life you sit in the opposition, that it was the Chrétien government that took health care funding down from the Mulroney days, when it was 18 cents on every dollar, to 11 cents on every dollar. The Minister of Health—whether it was Minister Clement, Minister Wilson, Minister Witmer—and our Premier argued, and they finally relented and it's up to 14 cents. But everyone listening knows that when the original Canada Health Act was signed, it was a 50-50 agreement. Where are they today? They hide behind the tinsel press, the Toronto Star, those kinds of glib editorials that support the Liberal motif.

Nonetheless, we, as the government, understand that an economic slowdown can be particularly hard on low- and middle-income working families, especially those with children. This bill proposes to provide eligible families with \$100 for each child under the age of seven as a tax-free, one-time payment to offset costs. It will help them. It's as simple as this: at this time of year, approaching Christmas, it's to help them to buy a toy for the child. That's real money in the hands of people. The other side would have us give that money to some bureaucrat to funnel out in some program of which about 20 cents on every dollar would actually get to where it's really needed.

It's about responsible choices. This government has the courage to not be influenced by the high-pressure

lobby groups who want the individual bureaucrats to actually keep the money. We have what I think is a balanced fiscal conservative attitude as well as a responsible social conservative attitude.

The bill also implements important choices made in other areas, for instance, very important areas of public transit and infrastructure. Our proposal to take back the responsibility for GO Transit will affect my area of Durham as well. We announced transit for municipalities in September of this year. The proposed measure would free up to \$100 million for the greater Toronto area municipalities. Of course that would include Toronto, but it also includes my region of Durham. I think the number they would have is about \$14 million to reinvest in local and regional transit responsibilities and priorities. Investing in expanding transit service demonstrates our commitment to addressing traffic, gridlock and the protection of our environment. You know they work hand in hand. Traffic and traffic congestion go hand in hand with gridlock and the implications for smog in our environment.

The Responsible Choices for Growth and Fiscal Responsibility Act that we're discussing, Bill 127, would benefit a broad range of taxpayers at all income levels, despite the rhetoric on the other side that it's our rich Tory friends. Hard-working people need to be respected, and that's what this Responsible Choices for Growth and Fiscal Responsibility Act is all about.

Other measures proposed in the bill include encouraging the restoration and preservation of heritage buildings by providing property tax relief to owners of heritage properties under LACAC, local architectural conservation advisory committees, which I did have the privilege to serve with; they are very pleased with that commitment to tradition and community.

We are providing venture capital for small business by expanding the deadline for registering new community small business investment funds to December 31, 2002, and further, reducing red tape for Ontario small business by allowing businesses with corporate tax payable of at least \$2,000 and less than \$10,000 to remit tax installments quarterly instead of monthly, a small but needed regulatory change that this government is implementing.

We are restoring support for research and development—very important—by suspending the R&D superallowance and allowing corporations to exclude from Ontario taxable income the portion of the federal investment tax credit that relates to Ontario research and development expenditures. Clearly, there was a clawback at the federal level. We've fixed that needless burden.

This government will not surrender the hard-won gains that have restored Ontario to its prosperous and rightful position as the leader in this country. This bill will help ensure that Ontario remains well positioned to withstand the economic challenges that lie ahead for each of us. We intend to stick to the key principles that have guided our economic, fiscal and social responsibilities since 1995, including a commitment to economic growth, job creation, fiscal responsibility, making choices and

planning for the future. More importantly, it's about leadership, leadership that's able to deal with difficult choices, to plan and respond to the needs of our economy.

I encourage future speakers to respond to the stimulus, balanced budgets, tax cuts, prudent planning, competitiveness, transit funding, higher quality of life for all people in Ontario, the SuperBuild initiatives to address education and health care, Smart Growth, with the important municipal implications, global marketing, and most of all, safety. I'm pleased to support Bill 127 and our Minister of Finance, Jim Flaherty. He's the right man for the job.

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**The Acting Speaker:** Questions and comments?

**Mr Kormos:** In short order, Rosario Marchese, the member for Trinity-Spadina, is going to be speaking to Bill 127.

Listen carefully to the canned speeches, the prepared texts, of government backbenchers. I noticed that the member—to be fair, we only have 20 minutes available to us because of the rules imposed on us, and he used but 13 of them. I suppose the speech writers, when they pump this stuff out of the PCs and the word processors, should be a little more careful in determining how many pages it takes to fill 20 minutes.

Look, New Democrats are eager to talk about real people: real people, real families, real communities, real lives that this government's budgetary policies are having a devastating impact on. There are people out there, good, hard-working folks, young families struggling to look for work and struggling to keep jobs in the economy this government has been nurturing, an incredibly unstable economy where the loss of good, value-added manufacturing jobs that people used to pursue as careers is having a devastating effect on young families and all the way through to the senior citizens that I talked about a little while ago. This government's fiscal policies have to be examined in light of what this government is doing to real people out there.

When this government has to raid OHIP and raid health care to pay for its tax cuts, I say that this government had better start re-examining those tax cuts, especially when those tax cuts are designed to put additional profits into the pockets of the wealthiest and most profitable corporations in this province.

**Mr Steve Gilchrist (Scarborough East):** As usual, it's hard to sit on this side and listen to the rant from the member opposite and try to reconcile that with the reality of the economy here in the province of Ontario.

He talks about how the tax cuts have only benefited big business. He knows full well that in his riding of Welland, every single man and woman who is a taxpayer has benefited from the extraordinary decrease in taxes that have been a fact of life in Ontario since 1995. He knows that hundreds of thousands of people have come off the tax rolls altogether—the Ontario tax rolls. Now, they still pay federal tax. The Liberal government in Ottawa still charges that tax at less than \$8,000 in income,

because that's how much they care about the poor. But here in Ontario, the member opposite would know that you have to make almost \$20,000 a year before you pay one cent toward your health care, one cent toward your kids' education, one cent toward the OPP or one cent toward any of the other extraordinarily important services delivered by the provincial government—not one cent, because of the tax changes that our government has implemented in the last six years.

We hear stories about how there will be billions of tax dollars cut again in the next year or two. The fact of the matter is that tax cuts create revenue. We have seen an increase of 50% in the revenue of the province by leaving money in the hands of hard-working Ontarians, who deserve to keep a fair share of their income. When government takes those dollars, they're lost, but when the taxpayers have them they can control the spending. They can decide what's an important purchase for them. They can decide where they want to spend those dollars.

That's why our economy has done so well. That's why you're wrong now and that's why you've been proved wrong in each of the two elections.

**Mr James J. Bradley (St Catharines):** I heard the member for Durham extolling the virtues of the Treasurer of Ontario, the Honourable James Flaherty. I wonder what he thinks of the comments made by the Minister of Labour, the Honourable Chris Stockwell, member for Etobicoke Centre, who, when he launched his campaign, said that you simply can't have more tax cuts. He said you can't square that circle, of saying to people, "First of all, there's not going to be a deficit, and at the same time I'm going to cut taxes." Now, it's not somebody here on this side who said it. This was the Honourable Chris Stockwell.

*Interjection.*

**Mr Bradley:** You were not a member of the House at the time, but you will remember that there were four Conservative members who were well known for saying to the government, "Look, let's not implement tax cuts until such time as we've balanced the budget." I remember it was the Honourable Chris Stockwell; the member for Waterloo-Wellington was a second person; the member for Oakville, the Speaker of this House; and I think it might have been the member for Grey-Owen Sound. Anyway, there were four members who said to the government, "Look, it's not that we're opposed to tax cuts"—that's what they said—"but you have to wait until you've balanced the budget. Otherwise, you have to borrow money to give a tax cut."

Of course, we know that under the Conservative government the debt of this province increased by \$22 billion. A lot of people in this province don't want to accept that—the chamber of commerce and people like that don't want to accept it—but the debt went up by \$22 billion. Now we know that the Premier of this province is whining again because he wants federal money to pay for his tax cuts. He doesn't want it for health care. He's going to lose all kinds of money with his tax cuts, so he needs that money to pay for those tax cuts.

**Mr Gilles Bisson (Timmins-James Bay):** I listened very intently to the comments made by the member across the way, and I've got to say there's a real problem. If you listen to his argument, his argument simply is this: the government does tax cuts, the tax cuts create opportunities because people go out and spend that money, and the economy just picks up and does so fine. If that's the case, can somebody explain to me why we're now in a recession? You've given billions of dollars in tax cuts, and to listen to the argument the member makes, we should be booming. There should be jobs just flowing from the economy and we should be doing just wonderfully. But we're in a recession. Why is that? The members don't want to accept the reality that over 90% of goods produced in Ontario are exported to the United States. Because they're exported and the American economy is going down, of course we're in a recession. We're linked to the United States almost to the hip when it comes to our economy.

Don't argue to me that tax cuts are going to rebound the economy. That would be like saying your tax cuts were responsible for the resurgence in the American economy under Clinton. Then I hear the member say, "But the federal government collected \$50 billion in new revenues because of Mike Harris's tax cuts." Give your head a shake. Where do you get those numbers from? It's like pulling them out of the air. There was more revenue across Canada. Are you arguing that the tax cut fuelled the economies of Quebec, Manitoba, British Columbia and Alberta? You're playing with figures. It's crazy.

Then you've got the illustrious Mr Steve Gilchrist saying, "We've had a 50% increase in revenue in the province of Ontario." No wonder he went bankrupt. He can't count. Excuse me; he didn't go bankrupt. I rephrase. That's not the case. He was on for tax problems.

The reality is that the economy of Ontario doesn't see the type of increase in revenue he talks about.

**The Acting Speaker:** The member for Durham.

**Mr O'Toole:** I'm very pleased that there were at least four people in the House listening: the members from Niagara Centre, Scarborough East, St Catharines and Timmins-James Bay.

I clearly think there are times when government needs strong leadership. We can boil all this down to the fact that Bob Rae was a very academic, capable leader but really didn't really have the economic strength or leadership qualities to lead the government. I look at Dalton McGuinty and I'm still convinced he's not up to the job. The member from St Catharines mentioned it. Am I in support of Minister Flaherty? Well, he's the Minister of Finance and he's the person I'm responding to.

**Mr Bradley:** Mr Stockwell.

**Mr O'Toole:** Minister Stockwell is certainly a member of the cabinet and as such has voted and supported all the measures—all the measures, I might say, that you voted against yet wouldn't have the courage to reverse.

I have to go back to the original vision here: which came first, the chicken or the egg? What I and the other members who will be speaking tonight are presenting to

you is that you have to have a strong economy to support the quality of life we've become accustomed to. One only has to look at the 10 lost years. You spent more and we got less. The NDP doubled the debt, doubled the deficit. We're spending \$9 billion a year in interest on the accumulated debt. That's \$9 billion that the children in classrooms, the hard-working families and the hospitals are paying for.

It's clear to me that the opposition doesn't understand it. I'm confident that Paul Martin gets it. He's introduced important measures to reward effort so that you don't tax the rich but have to work with it so they stay invested so we can have the standard of living and the quality of life that people of Ontario deserve.

1940

**The Acting Speaker:** Further debate?

**Mr Richard Patten (Ottawa Centre):** Mr Speaker, I'll be sharing my time with the member for Essex.

It's a pleasure for me to rise this evening and to share some brief remarks on Bill 127. As usual, the government likes to have especially interesting names for all their bills.

Of course, this afternoon the House leader on the government side introduced a time allocation motion, which means that yet again debate will be cut off. The government uses this tactic more than any government in any jurisdiction in this country: time allocation and closure to limit debate and opportunities for MPPs to respond. This is another example of that.

This bill also continues a long-standing approach by this government in that many of the measures related to it will be made by regulation—which means by order in council, which means by the government behind closed doors—and not in this legislation that will have an effect on people. The continued centralization of power with the Premier and with the cabinet continues.

Talking about the values and the priorities of this particular government, it's quite clear where their priorities are. Their priorities are with economics and with benefiting those who really don't need support and help, and that is essentially the big corporate community—not the small corporate community but the big corporate community in particular—even at a time when the government revenues are declining. The member for Scarborough East talked earlier about the wisdom of tax cuts stimulating the economy, producing increased revenues. I would suggest to him that if he looked at the budget figures today, indeed all government revenues are on the decline, except in one particular category. Where might that category be? Transfers from the federal government to the provinces, last year and this year.

The government is determined to continue to offer unnecessary \$2.2-billion corporate tax cuts in the name of trying to provide competitiveness. We're already competing on a corporate tax basis, as everyone well knows. So why do we pursue this, when we know that health, education and the environment are in such sorry need of additional resources to do the minimal job required? They are all suffering, and this money is going elsewhere.

The Premier, in his speech to the Canadian Club just two days ago, said the federal government was the single greatest threat to medicare because of its health care funding policies. It's quite amazing that anyone can say almost anything and not be challenged, not be scrutinized. I'm surprised that the media haven't even done the analysis extremely well on this and looked at the history.

It was only a year ago that all provinces and the federal government signed a five-year agreement. That five-year agreement was that the federal government would increase its revenues to the provinces for health and social transfers. That means that this year, next year and for the next five years, Ontario will receive \$8 billion more than they have received in the past. And still there's a complaint that it's not enough. It's not enough, of course, because when you look at how this government is using its resources, it's using them to subsidize a tax cut because the revenues aren't there anymore. The revenues have fallen, except for federal transfers.

I have only a short opportunity here, but I would think that the government members on the other side should reflect quite carefully as to their particular commitment at the end of the day, as to when they return to their ridings what they say to their constituents. Just ask them these questions: Do you believe that this government has produced a better set of protections for our environment? Do you believe that we now have better health care? Do you believe that we now have better education for our children?

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** Absolutely.

**Mr Gilchrist:** Vastly improved.

**Mr Patten:** I don't know what ridings these members represent, but I tell you, I ask those questions in my riding and continually the answer, sadly, is, "No, none of those things are improvements. They are all sadly lacking since the election of the Harris government."

**Mr Bruce Crozier (Essex):** In this debate on Bill 127 I want to read into the record some research that I've done on the federal-provincial tax point system. I invite the members, as well as the public, to read Hansard tomorrow or the next day and have a look at this information.

When it comes to the Canada health and social transfers to Ontario, the federal government provides financial support to Ontario, most notably through the Canada health and social transfers. Provinces can use these funds to finance their responsibilities in the areas of health, post-secondary education and social assistance, according to their spending priorities.

Just a little bit of background: in 1995-96, the Canadian health and social tax transfer was \$4.5 billion. In 1999-2000, it was \$5.8 billion. I will point out to the Legislature that the cash transfers during that time went from \$6.2 billion to \$4.9 billion. So there was a reduction of \$1.3 billion in cash transfers but there was an increase of \$1.3 billion in tax transfers, benefits that the province of Ontario gets. In the year 2000-01, as was referred to by my colleague from Ottawa, the federal government

increased the cash transfer by \$1.2 billion and the provincial government increased its health care spending by \$1.1 billion. So all of the increase in 2000-01 came from the federal government.

In 1999-2000, in the transfers to Ontario, there was an historical high of \$10.8 billion, of which \$5 billion was in cash and \$5.8 billion was in taxes that had been reduced from the federal government and given to the provincial government, the so-called tax point. It will account for 19% of Ontario's estimated total revenues. This is about \$932 a person.

The Canadian health and social transfer tax is a federal tax transfer that involves the federal government ceding some of its tax room to provincial governments, and they never speak about this in this Legislature. Specifically, a tax transfer occurs when the federal government reduces its tax rate to allow the provinces to raise their tax rates by an equivalent amount. With a tax transfer, the changes in federal and provincial tax rates offset one another and there's no net financial impact.

1950

*Interjection.*

**Mr Crozier:** I may have misspoken on the dates. I'm talking about 1999-2000.

**Mr Gilchrist:** In 1977 they started it.

**Mr Crozier:** That's when it started, but I'll give you that history.

However, revenues that would have flowed to the federal government flow instead to the provincial government. It represents forgone revenue to the federal government, each and every year, and additional revenue to the provincial governments. In this way, a tax transfer has the same impact on the federal and provincial budgets as a cash transfer. Tax transfers represent a growing source of revenue for the provinces since they increase in value over time with the growth of the province's economy, which is what you brag about all the time. In 1977-78, major tax transfers to provincial and territorial governments were worth \$2.7 billion. Today these tax transfers are worth four times as much—\$13.9 billion.

The minister over there looks a little bit confused. This isn't my information. This comes from independent research.

Tax transfers represent a significant amount to the provinces. In 1999-2000, provinces will receive a total of \$28.8 billion in the Canadian health and social transfer. Of this, \$14.3 billion will be in transfers and \$14.5 billion will be in cash transfers. A mix of tax and cash helps address disparities among provinces. The value of each percentage point of federal tax in a province is determined by the level of income in that province. Again, you brag about the increase in income. It's an increase in revenue. Tax points are therefore worth less in some provinces than in others. For example, one personal income tax point is worth \$31 in Ontario per capita but only \$16 in Newfoundland.

The Canadian health and social cash transfer tops up the value of tax points, thus automatically compensating

for the differences in the value of the tax transfer among the provinces. Less prosperous provinces therefore receive a larger portion of their cash transfer.

The Canadian health and social transfer is not currently distributed on an equal per capita basis among the provinces. This is due in large measure to limitations imposed on one of the Canadian health and social transfer's predecessors, the Canadian assistance plan, better known as CAP. The 1999 budget took action to remove disparities in the per capita amounts transferred to different provinces and territories by 2001-02. All provinces and territories will then receive identical per capita Canadian health and social transfer entitlements, providing equal support for health and social services to all Canadians no matter where they live.

By 2001-02, Ontario's share of the Canadian health and social transfer will match its percentage of Canada's population, thus providing equal support for health and other social services to all Canadians. The move to equal per capita Canadian health and social transfer entitlements will give Ontario almost an additional \$1 billion over the next five years.

I point out again that this is my research, but it was done by a third party.

Since the tax point transfer system is part of a broad array of fiscal—

*Laughter.*

**Mr Crozier:** Well, you laugh, but you don't talk about this revenue. So just listen and read it tomorrow, if you can. It's part of a broad array of fiscal matters that was agreed to by the provinces, and now we get into the history of it.

In 1958, under the Hospital Insurance and Diagnostic Services Act, the federal government provided the provinces with 25% of their per capita costs and 25% of the national per capita costs times their population.

In 1965, the Established Programs Act permitted opting out by the provinces. The province of Quebec, in fact, did opt out.

In 1996, the Canada assistance plan, or CAP, as I referred to it earlier, initiated a 50-50 shared-cost program for various social purposes.

Then 1967 saw a post-secondary education cost-sharing agreement between the federal and provincial governments. Cost sharing was 50% of operating costs or a specific per capita amount if the province so desired.

In 1968, the Medical Care Act came into force. By 1972, all the provinces had signed on and agreed to it. Ottawa paid 50% of the national average costs, which were distributed to the provinces on an equal per capita basis as long as they met the criteria, which were comprehensiveness, universality, portability, public administration and accessibility.

In 1997, following the passage of the Federal-Provincial Fiscal Arrangements Act, the federal government gave up its share of its income tax revenues to the provinces and, in place of the cash payments formerly made to finance the federal share of the three established cost-sharing programs—hospital insurance, medicare and

post-secondary education—Ottawa transferred to the provinces an additional 9.143 personal income tax points, in addition to the existing 4.357 points that it had surrendered previously, and the one point of corporation tax, for a total of 13.5 tax points. These tax points were incorporated into provincial tax regimes and were equalized via the formal equalization formula, like any other provincial revenue. These equalized transfers were notional—they were not actual transfers, but they were money that the provinces had as revenue through tax.

The 1995 federal budget introduced the Canada Health and Social Transfer Act, which made the Canada assistance plan and the established program financing into a single block of funding, which consisted of cash transfers—which again, is the only thing that they speak about in this Legislature—and tax transfers. In the following budget that year, 1995, a cash floor was established to ensure that the growth in the value of the tax transfer would not erode or eliminate the cash transfer.

There are arguments in favour of and opposed to this. I conclude this evening with mentioning both.

No specific study of advantages or disadvantages of the tax points system seems to have been undertaken. However, it has been suggested that the federal government hoped to address a number of concerns when it replaced cost-shared programs that were agreed to by the provincial governments.

**2000**

In the first place, Ottawa expected to regain some control over its expenditures by abolishing the link between the federal transfer and program costs, because health care costs, of course, and the expenditure of health care funds are the purview of the province. Moreover, it was concerned that the acceptance of tax points by Quebec instead of cash transfers was regarded by other provinces as special treatment. Hence, a transfer of tax points was made to make them all feel equal.

I know that in hurrying through this it sounds confusing, so I ask the members on the government side to simply get Hansard, sit down, read it, and when you talk about money from the federal government and when the Premier goes whining to the federal government the way he accused Bob Rae of doing some years ago, that you take that into consideration.

**The Acting Speaker:** Questions or comments?

**Mr Marchese:** I don't disagree with what the member for Essex just said in the last 10 minutes. In fact, I would have started with the conclusion and forgotten about the whole nine and a half minutes of the explanation and defending the federal Liberals for, I don't know, about 10 minutes or so. It wasn't so much confusing as defensive. Just say, member for Essex, that these Tories are whining ad infinitum, and tell them to stop. Say that.

**Mr Kormos:** And ad nauseam.

**Mr Marchese:** And ad nauseam; it's true. Say that. But to do a whole 10-minute defence, an accounting, as the accountant that you are, of the what the federal Liberal government is doing is too defensive. Don't do that. It looks, in my view, bad on you.

I've got to tell you, this government is a bit luckier than New Democrats were, because Mulroney was not so magnanimous to Bob Rae and neither was, frankly, M. Chrétien.

**Mr Bisson:** He was even worse.

**Mr Marchese:** He hurt us badly too. It is fair to say that by 1998-99, Chrétien returned a whole lot of money to this government that it had not given. This is true. That's why I say—Monsieur Dunlop, s'il te plaît—in all fairness, we got whacked by Mulroney; we got whacked by Chrétien in 1993, 1994, and the beginning of 1995. We got whacked badly when we needed money. When Tories didn't need the money because they had billions coming in, they sent a whole lot of money back. I guess they got embarrassed by the Tories saying, "We're going to go after you because, boy, do we know how to whine. We whine good. We whine real good." And they're still doing it.

**Mr Kormos:** What's the Tories' favourite whine?

**Mr Marchese:** The Tories' favourite whine—and they do whine. You're looking at the clock, Speaker. I know you are.

**The Acting Speaker:** Thank you. The member for Durham on questions and comments.

**Mr O'Toole:** I couldn't resist. I was watching the comments. The member for Essex tried to make clear the complex relationship between transfer payments to the province and the argument of tax points.

If he actually did his homework, he would find out that in 1977, the federal government of the day did give provinces tax space. By 1985, all of the tax space had been reversed by other increases in tax at the federal level. The record is clear. There is a permanent tattoo on the Liberal government, at whatever level, provincial or federal, whatever province: they increase taxes and spending. It's the record between 1985 and 1990. That's their record.

Let's go back to the fundamentals of the lack of commitment to health care by the federal Liberal government. In fact, they are here tonight, and their response—

*Interjections.*

**Mr O'Toole:** Since we were elected—the evidence has to be on the record and Hansard will record it—the spending in health care has risen \$6 billion, from \$17.4 billion to almost \$24 billion. The federal government's share has moved from when, under Mulroney, a name they don't like to hear, it was 18 cents on the dollar. It was that government and their buddies in Ottawa that moved it to 11 cents. Through our Premier's demand, they moved it to 14. It's still \$2 billion a year short. Honest to God, I can't believe the people of Ontario don't get it. Certainly this government here and our Premier yesterday in Ottawa made it clear that—

**The Acting Speaker:** Thank you. The member for Stormont-Dundas-Charlottenburgh.

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** I want to congratulate my colleagues the member from Essex and the member from Ottawa for

their comments on this debate. A lot of good information was passed out and should be helpful to us all.

I did not like the previous speaker, from Durham, who talked about broken promises. If anybody broke any more promises than their government did, I'd have to eat my shirt. In an interview with Robert Fisher on Global prior to the 1995 election, when the Premier was the Leader of the Opposition, he was asked about closing hospitals. He said, "Robert, it's not my plan to close hospitals." So you talk about broken promises—they're there. Another election promise too—he never said anything about amalgamating municipalities. But we know about the messes he has caused there in some of these instances.

*Interjections.*

**Mr Cleary:** We'll talk to you another time.

The other thing is, he has put this province in debt another \$22 billion, borrowing the money for a tax break.

I know there are lots of issues still in the health care system. We have in our community people still travelling to Ottawa or Kingston three times a week for dialysis treatment. That could have been solved very simply, because the money has been announced, reannounced and reannounced again, but the people are still going to be travelling in these winter months again.

I don't think the people of this province are going to forget too much, because this government talks about a balanced budget, but they forget about the \$22 billion of borrowed money.

**Mr Bisson:** Just before I respond to this particular comment, I just want to make an apology to Mr Gilchrist right up front, because in my response the last time I said he had gone bankrupt, and that is not correct. I withdrew it right away and I want to make very clear that I apologize. I didn't mean to say that. It was a tax problem, and I misspoke myself. So to Mr Gilchrist, I want to apologize. It wasn't meant to be what he thinks it is.

At any rate, I just want to take this opportunity to pick up on the comments by the member from Essex, because it's a really important fact. The fact is, the government on a number of occasions now has been running to Ottawa and saying to Mr Chrétien—whine, whine, whine—"We're not getting enough money." I say there are two problems with that. The first problem is a political one for me in the sense that that was the same party that, when we were in government and we were being downloaded on by both the Mulroney government and the Chrétien government, used to come to us and say, "Quit whining. What you have is not a revenue problem; you have a spending problem. Quit whining." Then they get elected and now I see them whining to the federal government. So I say, were they really up front about what they wanted to do when they accused us of it?

The second part is this: you have the Tories whining they're not getting enough money from the federal government, but at the same time they have given out over \$6 billion in tax cuts to the citizens of Ontario. There was an interesting story in the Star or the Sun, and everywhere else today. That was the quote where Harris said

that Queen's Park would impose user fees and introduce private health care in Ontario if the federal government didn't pump an extra \$6 billion per year into funding health care. So \$6 billion is what they want from the federal government; \$6-billion-plus is what they took from tax cuts. Why are they going to whine when they could have done something over here locally, I have to ask myself. So the favourite whine for Mr Harris is, "There is no whine before its time."

**The Acting Speaker:** Response, the member for Essex.

**Mr Crozier:** I apologize to my friends in the Legislature and those at home if I spoke too much in an accounting way tonight, but I invite them to get Hansard and just read the comments.

The fact of the matter is this: this government talks about cash transfers, and only cash transfers, from the federal government. I wanted to point out to the public that in the year 1999-2000, \$5.8 billion was revenue for the province of Ontario through tax points. They won't mention this.

2010

When it comes to health care, when it comes to education, when it comes to the environment, they choose tax cuts; we choose health care, education and the environment. Now the Harris regime and all those who sat around the table with him have painted themselves into a corner. We're into a recession and they can't afford the tax cuts they've given, and yet some of the candidates for their leadership continue to preach. If these tax cuts are doing such great work, what's happening today? Where are the jobs today that they're creating? They aren't there.

The Minister of Labour, who's one of the candidates, has it right. He says we can't promise tax cuts like the rest of them are in the economy that we have today. We need to promise health care, education and the environment. >

**The Acting Speaker:** Further debate?

**Mr Gilchrist:** I'm pleased to join the debate today on this very important budget bill. I know there's always a temptation to lower oneself into the gutter to match the contributions of people like Mr Bisson, but I'll fight that urge and simply offer the observation that I would match the business acumen and the sense of ethics of any one member on the government side against the entire NDP caucus. It would not be a fair fight.

The bottom line in all of this is the very important message that the Premier is trying to convey and the finance minister, Jim Flaherty, is trying to convey in this budget. If you look at the cold, hard facts, Mr Hoy from Essex would have you believe that reading and rereading what he just said in Hansard might make it a little clearer. I would suggest even to accountants that he's done a great job of obfuscating and skating around the facts. But since 1995, in cold, hard cash that even Mr Hoy can understand—

**Interjection:** It was Mr Crozier.

**Mr Gilchrist:** My apologies—Mr Crozier, the riding of Essex.

**The Acting Speaker:** The member for Essex is what you meant to say, right?

**Mr Gilchrist:** The riding—it's the name. It's all a blur over there.

The member would recognize that in cold, hard cash his federal Liberal friends are writing a cheque today that is \$44 million smaller than it was on the day we were elected. So he can talk about tax points, he can talk about other programs, he can talk about the health and social transfers that you guys spend in 18 different categories, but it's the same dollar. You can only spend it once. So if you're claiming it for day care, as your federal cousins like to do, you can't claim it for health care. The fact of the matter is that the tax points were freed up in 1977.

Let's look at exactly what we're talking about here. The federal government and the provincial government were sharing responsibility for certain programs. The federal government said, "We're going to do you a really big favour. We're going to give you less money but we'll let you be the heavy with your taxpayers. We'll let you go and raise taxes more." That sounds like perhaps an acceptable trade-off to the taxpayers. At least the federal taxes were going down and, hopefully, the provincial ones might not rise to fill the void that was created.

The small problem is that within six years the federal government had returned and had increased their taxes beyond the point from which they had originally cut. The fact is that they tried to have it both ways. They brag about the surplus they have, almost all of which is generated on the backs of hardworking Ontarians: \$25 billion in new revenue flows down to Ottawa. It is utterly shameful that the member for Essex would stand in his place today and articulate a fantastic defence on behalf of the people in Quebec and the people in the Maritimes and the people in other provinces, particularly in the northern territories, and not give a sweet damn about the taxpayers in his own riding, who are sending \$23 billion more down to Ottawa this year than they get back in federal spending in Ontario.

Is that what you're standing here today and defending? Are you agreeing with the rape of Ontario to the tune of \$23 billion? The bottom line is, the Premier has made a very simple case. We're not asking for you to go back to the same 50-50 deal that was the basis of the Canada Health Act when it was instituted. The only way the federal government got their nose under the tent when it comes to health was to agree to a 50-50 share of your responsibilities. We know that would be a pipe dream. We know there's not a snowball's chance that the federal government will ever operate efficiently enough to generate the kinds of revenues to continue to honour that agreement.

What we think is reasonable, though, is to go back to the standard that existed even at the time Mr Chrétien was first elected: just 18% of the total spending on health care in the province of Ontario. We'll leave aside the fact that his federal cousins—and I'm sure you spoke highly of this claim throughout your riding during the last federal election—wanted a national pharmacare program.

They wanted a national drug program. They want a national home care program. Here we are, some considerable time after the election, and there's been no progress on that at all. Forgive the observation that perhaps it was just a cynical pre-election ploy.

The fact of the matter is that the government in Ottawa has now dropped from 18% to 11% and, as a result of the pressure put on by all the provincial Premiers, they've come back up to 14%. However, they've made it very clear that they have no interest in putting more money into health care. In exactly the same breath they agree with the increasing demands that are being faced by every aspect of the health care sector. They agree that hospitals need more equipment, that we need more home care, even though Ontario has the best system anywhere in Canada. They agree that we should be adding more drugs to the formulary. They agree that spending has to increase. But the federal Liberal government has said, "But don't look to us for any more of that money." By the end of our term they will be down into the single digits again, not 50%, not the 18% that even Mulroney was capable of affording when he ran a \$40-billion deficit. No, it will be down to the lowest level in the history of this country since the federal government first entered the health arena. That is shameful.

I would have thought the members opposite of the provincial Liberal Party would be seized of a responsibility to defend their constituents; not defend their colleagues in Ottawa, not continue to leave the door open for Senate appointments or whatever else comes their way, because I can't imagine any other inducement. You weren't elected to fight federal battles. You were elected to stand up on behalf of your taxpayers for provincial services such as quality health care.

I would remind the members opposite that even as we stand here today, every other provincial government shares the position taken by our Premier. That would include all the other Liberal governments across this country. So you're not just out of step with us, you're not just out of step with—I hate to say it—by the sounds of it, even a couple of our NDP colleagues; you're out of step with other Liberals at the provincial level all across Canada. Whom precisely do you take your marching orders from?

The fact of the matter is that this budget bill continues us along a continuum that has ensured that Ontario was restored to its traditional place as the engine pulling this country. We have had the strongest economy of any of the industrialized nations in the world each of the last six years. It's intriguing; never having sat on the other side of the House, I can't wrestle with how the thought process works when you're an opposition member, but every day we hear them say that we can't take credit for all those good years because it was just the Americans. But now, if the suggestion is that the economy is slowing, "Oh, it's all Ontario's fault. Don't pass any of that off to the Americans." Well, you can't have it both ways.

**Mr Marchese:** No. You can't have it both ways.

**Mr Gilchrist:** You can't have it both ways, folks. Ontario's tax cuts have been the engine of growth by

putting money back into the pockets of taxpayers all across this province, particularly low-income taxpayers, hundreds of thousands of whom have been taken right off the tax rolls. Those dollars were then, in some cases—in most cases—immediately spent again in the economy.

**2020**

You cannot find an economist, at least one who actually graduated, who would deny that a dollar spent, particularly at the retail level, will have a four- to five-time multiplier effect. Every time someone went out and bought new clothing or repaired their car or took a summer vacation in Ontario with dollars that would have gone to the provincial government but now are being left in their hands, every time they did that, they weren't the only ones deriving a benefit. The retailer, the campground operator, the auto repair shop, you name it, all of those businesses also prospered and they hired more staff.

We know that because we get the weekly income tax revenue. We know that there are 830,000-odd more people working in the province today than the day we were elected. We know that is because of an expanding economy fuelled by an increase in discretionary income. Those facts are irrefutable.

Those are the only reasons we have been able to withstand the frugality in Ottawa, withstand the utter abuse, the neglect, the contempt for the people of this province. It is utterly staggering when you consider that the overwhelming majority of members of the federal Liberal caucus were elected in this province. It's bad enough that the member for Essex and his colleagues here seem to be championing the idea of begging the people in this province. It's even worse when the people responsible—again, one would believe it's because of the oath they took, the campaign pledges they made to fight on behalf of Ontario down in Ottawa—have all thrown up their hands and said, "We can't do it. We can't withstand the pressure from our Quebec-based Liberal Party. We can't withstand the pressure from a Prime Minister who wants all the money to go to Shawinigan. We want great services all across Canada. We want boondoggles. We want to be able to prop up Liberals all across this country, except in the province of Ontario." They are so challenged mathematically, they haven't even figured out that their 101 votes would win any debate, would win a vote in the House of Commons. They don't have to listen to the Prime Minister if they're truly seized of their responsibility to the people who elected them, but they're not.

We're faced with a bill before us now that, as I said, continues us along the path to restoring a more appropriate taxation level for the long-suffering taxpayers in Ontario. This bill will accelerate the tax cuts that we had announced in a previous budget that were going to take effect on January 1, 2002. They've been accelerated to October 1 of this year. Those will be reductions in personal income tax, corporate income tax and capital taxes. Once again, those dollars will go to support men and women and profitable businesses—because you don't

pay a tax unless you're profitable—all across this great province. It will mean that from one end of this province to the other, in time for Christmas, people have more money to spend. Notwithstanding the doom and gloom we hear on a daily basis from the folks opposite, we've seen how retail sales tax has already caught up. We've seen how the blips that took place in a number of revenue streams right around the time of the tragic events on September 11 have already largely recovered and, in some cases, are exceeding the levels they were at before those events.

There is absolutely no doubt in my mind, and I'm sure the minds of my colleagues, that Ontario is positioned now and better able to withstand any kind of economic pressure from outside of our borders, better today than any time since 1985. It is a fact, aside from the one downturn wherein we were blessed with a government of a different stripe, namely that of the NDP, that in every recession, every downturn of the economy, Ontario goes down last, goes down least and comes out first. Those are the inherent strengths that come from having a province so blessed with natural resources, blessed with a workforce that is well trained and motivated, blessed with an adjacency to a market of over 150 million people within a day's drive. Those are the strengths on which we could always rely as Ontarians that would carry us through the occasional downturns.

The NDP did their best to ensure that they broke that trend and instead we went down first, went down furthest and came out last. But somehow that's somebody else's fault too.

*Interjection.*

**Mr Gilchrist:** Oh, that's right. You blame that one on the Americans as well. Funny how you've taken a different position for this economic downturn, but I guess consistency doesn't have to be the hallmark of the debating position of an opposition member.

Another issue we're dealing with in this bill is a considerable increase in spending on security issues related to the aftermath of September 11. I think people have to recognize that if, as and when the members on the other side vote against this bill, as they have voted against every tax cut in the last six years, they will also be voting against strengthening the OPP, strengthening municipalities, giving municipalities the ability, in fact the requirement, to have emergency plans to cope with the sorts of events we saw down in New York City. We're talking about a vote against the kind of reasonable response to those tragic events that I would have thought any member in this House would applaud.

**Mr Marchese:** How much money are you spending?

**Mr Gilchrist:** Well, there is \$6 million over two years to build an anti-terrorism training facility for local police; an emergency management training centre for first responders such as firefighters, ambulance and police. Our government is investing over \$30 million, in fact, to enhance Ontario's counterterrorism and emergency management strategies.

It's essential that this bill be passed so that those investments can be made. It's essential that this bill be

passed so that we can continue to cut taxes and put money back into the pockets of people in this province.

It's also important, in the bigger context, to recognize that as we have strengthened Ontario's economy, we cannot allow the federal government to continue to assault us, to continue to beggar us, to continue to fail to recognize that every province in this country should be treated equally. Even if we were to play the game of the member from Essex, who would love to talk about percentages here and percentages there, the percentage of health care spending in other provinces is greater than what they're spending here in Ontario. If you even recognize that, if you even express the willingness to join us in calling on the federal government to just raise the percentage of funding in Ontario to what they're doing in other provinces today, that would be a major step forward and, I would submit to you, would meet your responsibility to the taxpayers and the health care clients in your community.

When we hear, as we undoubtedly will, in the weeks and months and years to come that a particular hospital needs money or an ambulance service needs to change or upgrade its vehicles or we hear that someone has been denied home care or that a waiting list is too long in an emergency room somewhere, we cannot lose sight of the fact that every single year that we have been here, we have increased health funding by \$1 billion. So for those who would try and confuse the electorate by suggesting that somehow what you do on the tax cut side is directly related to the spending on health care, it's utter fraud. You don't have to take my word for it. The Provincial Auditor has signed off on the books for all of those years, back to 1995, and I would submit them for the consideration of anyone who truly cares to get down to the cold, hard facts and not the spin done by a third party and maybe the federal Liberal government, for all we know.

The fact of the matter is that all of those increases have not been matched by Ottawa. In fact, they've used the excuse of the success of the Ontario economy to continue to cut their payments. Today they are paying \$44 million less than they transferred in the first year of our government. That's the fact.

*Interjection.*

2030

**Mr Gilchrist:** If the member opposite has any evidence to the contrary, I would challenge him to show it to the Provincial Auditor, because that's the source of our data.

The reality is that both levels of government have a responsibility. That's what the Canada Health Act says. That is what the federal government asked for when they signed that agreement with all of the provinces. If they are now singing from a different song sheet, that's fine. Come clean. Tell us that you don't care any more. Tell us that you're going to take those billions in surplus and spend them somewhere else in the country. At least be honest. But don't attack the messenger when our Premier goes down to Ottawa and tells it like it is. The biggest

threat to health care in the province of Ontario is the federal Liberal government.

The second-biggest threat is the puppets at the Ontario Legislature who slavishly follow the dictates of their colleagues down in Ottawa. The second-biggest threat is the people opposite, right here. So I'm going to predict that in their zeal to continue to make friends in Ottawa, not back in the constituency, they will vote against this bill. I challenge that point of view. Instead, I call on every responsible member in this House to do the right thing and vote for this bill.

**The Acting Speaker:** Questions or comments?

**Mr Dominic Agostino (Hamilton East):** I listened with interest to the somewhat interesting conversation—I wouldn't say the accuracy of the comments of the member.

Maybe in his two minutes he can tell us how much more money he thinks we need to put into health care. How much more money should the provincial government put into health care? Obviously, since you're going to Ottawa saying we need more money, you don't feel you are funding health care adequately in this province. Maybe you can tell us how much more you need and how much of a shortfall there is.

I find it interesting. A couple of Paul Martin's budgets ago, Harris said, "It's a good start, but you're not cutting deep enough. You're not going far enough with the cuts." This is the same Premier who goes up to Ottawa like a whining, crying little baby in his last few months of glory in Ontario and decides that once again he can't deal with the problems in Ontario, so he's got to point the finger.

The reality is that this government finds it acceptable to find \$2.2 billion to bring the corporate tax rate 25% below that of the American bordering states; this government finds it acceptable to put \$500 million into private schools, but feels that it cannot find enough money to fund health care in Ontario.

The sheer reality is that Ontarians are not fooled by the bluster and the rhetoric of Mike Harris running around the province trying to take on Jean Chrétien and trying to take on everyone else who opposes him or disagrees with him. Ontarians know who is to blame for the mess we're in, in this province. They know who is responsible for the health care crisis we are in, in Ontario. They know it's the government of Mike Harris that has misplaced priorities, that believes corporate tax cuts to their rich corporate friends are more important than funding emergency rooms and ambulance services and MRIs and surgeries and doctors and health care in Ontario. So all the bluster, all the chest-pounding by the member opposite and by the Premier, is not going to fool Ontarians. They are responsible for the mess we're in. They've made their choices, and those choices have been corporate tax cuts, funding to private schools instead of health care, and all the yelling and screaming in Ottawa ain't going to change that. You ain't gonna fool Ontarians. You're not fooling the federal government. It's too late; people have caught on to your game. It ain't working any more.

**Mr Marchese:** The member for Scarborough East discombobulates, and I've got to tell you I'm somewhat discomfited by his remarks.

He argues the following. He says that provinces should be treated fairly. No problem with that. He's right. They should be treated fairly. That is why I remind him—and you weren't here, member for Scarborough East. When we were in power, Mr Stockwell, with protruding eyes—protruding, projecting out; I can't imitate him as well as he can do it, but he would be somewhere around here, and he would say, "You don't have a revenue problem; you have a spending problem." And his eyes would just bulge, protrude out. Poor Bob Rae must have been fearless, against that assault by Stockwell. He was good. But I remember those remarks.

I remember Gary Carr, a nice man, very unassuming and quiet, gentle, but he too was here among the same ranks and he argued, like Stockwell, "You don't have a revenue problem; you have a spending problem." He would say and they would say, "You've got the limousine, right? Stop whining." Mike Harris? He was somewhere around here, more or less. Same thing. He would argue, "Stop whining."

We were finding ourselves in a very difficult time, because the feds took all the supports away and we were hurting. The Tories gleefully said, "Ah, deficits." We were saying, "Feds, help us." Now he argues he wants to be treated fairly. All the billions he's got are still not enough; he wants to be treated fairly. You've got the limousine, you've got the money, and it's not going where it should be going.

**Mr Bart Maves (Niagara Falls):** The member for Trinity-Spadina said he's discomfited by the comments made by the member for Scarborough East. I believe that. I believe the members opposite are discomfited by the comments from the member for Scarborough East. Most of it is probably because of some of the way in which the member for Scarborough East makes his points. He makes them forcefully; he makes them unabashedly. He's not ashamed to tell it like it is.

Quite frankly, everyone in the country knows this. Every Premier, no matter what political stripe—every Liberal government, every NDP government and every Tory government across this country—says the same thing: the federal government isn't funding its fair share of health care. The CMA, the Canadian Medical Association, the OMA, the Ontario Medical Association, the Ontario Nurses' Association, the Ontario Long Term Care Association, the Ontario Hospital Association—I can go on and on and on—all know the federal government is not pulling its weight as far as funding health care in the province of Ontario.

In 1993, Brian Mulroney funded 18 cents out of every dollar of Ontario's health care. Jean Chrétien cut that down to 11 cents of every health care dollar. After a lot of political pressure from our Premier, he's jumped that up to 14 cents. He's still four cents on the dollar less than what Brian Mulroney did in 1993.

It's unbelievable how the members opposite, the Ontario Liberals, bend over backwards and just take

everything they can from the federal Liberals. The tax point argument is ridiculous. In fact, everyone knows it's ridiculous, and that's why the public doesn't listen to it or care about it.

**Mr Crozier:** You don't even understand it.

**Mr Maves:** Oh, I certainly do. Even the architects of the tax point transfer back in the 1970s have said it's a crock for the—

**The Acting Speaker:** Thank you. Member for Ottawa Centre.

**Mr Patten:** The member for Scarborough East, in his salesmanship of ideas and ideology—and hyperbole, I might add—of course says only they stand up for Ontario, which is nonsense. Everyone, of course, would always like to have more money from the federal government. It goes with the turf; it goes with the responsibility. Let's face it: when you're in government, it's hard time; you have to make hard choices. But look at the choices you made.

But I'll ask you this: why did Mike Harris sign an agreement, or the health minister sign an agreement, 14 months ago? Ontario did not sign an agreement—

**Mr Bradley:** They made an agreement.

**Mr Patten:** You took an agreement with the federal government. You said that the federal government doesn't care, and yet the agreement over the next five years is talking about \$8 billion more over the next four years toward what this government can place in health care.

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** Chrétien is misleading you.

**The Acting Speaker:** Stop the clock. Minister, you will need to withdraw that. You said "misleading."

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** No, she said Chrétien was misleading, not him.

**Hon Mrs Elliott:** Speaker, I apologize.

**The Acting Speaker:** I asked you to withdraw. Do you want to withdraw?

**Hon Mrs Elliott:** Speaker, I withdraw.

**The Acting Speaker:** Thank you.

**Mr Kormos:** On a point of order, Speaker: Could you repeat what she said? Not all of us heard it.

**The Acting Speaker:** No. The member for Ottawa Centre.

**Mr Patten:** I would like to point out one other little thing, and that is related to the direction in which this government is going in terms of its budget. I want to quote one of your stalwart supporters who has talked about what the government might consider, Christina Blizzard from the Toronto Sun. She is saying that maybe the tax credits to private schools should be shelved due to the changing financial priorities. She says, "The Tories should look to the lobby groups who pushed for this and tell them, 'Look, we've tried to give you a break but sadly things have changed and now is not the time.'" 2040

**The Acting Speaker:** Response?

**Mr Gilchrist:** Thank you to the members who have commented.

I'm struck by how, on the one level, the suggestion from the NDP is—if you had a problem back when it was 18 cents on the dollar, why you wouldn't agree with us now that it's shrunk to 11 cents on the dollar. It seems to defeat your own argument.

We don't have a revenue problem. Our revenue has increased 50% because of the tax cuts. I would say to the member from Hamilton East that this isn't about today; we're managing just fine today. It's about the budget that will start on April 1, 2002, and the year after that and the year after that. Your federal colleagues have already said there is no more money.

So while the other side would love to change the subject—they talk about spending on other programs and they talk about how we really could have done this or we could have done that—the fact of the matter is that every year, only one level of government, the provincial level, has spent \$1 billion more on health care in the province of Ontario. The other level of government, the federal one, has cut. The Premier has made it very clear that that is unacceptable to him and he considers the federal Liberal government to be the greatest threat to health care in the province of Ontario. I am very concerned that the members opposite care more about appeasing folks in Ottawa than they do about dealing with their constituents' legitimate health concerns in the future.

Let me close on a final point, because again the member from Hamilton East stood up and said, "This is all because of your \$2-billion tax cut. If it wasn't for that, we wouldn't have a problem." Just this morning, Maurizio Bevilacqua, on Canada AM, bragged that the federal government was cutting \$100 billion in taxes, and so he tries to argue that it's OK for them to both cut taxes and neglect Ontario. Once again, stop pandering to Ottawa.

*Interjections.*

**The Acting Speaker:** Thank you. Order. Further debate?

**Mr Lyn McLeod (Thunder Bay-Atikokan):** I read the title on Bill 127 and it says that it's about responsible choices for growth and fiscal responsibility. Well, Mr Speaker, I would suggest to you this evening that all of the stale, trickle-down rhetoric being offered by the right-wing ideologues on the other side of the House is not going to make Bill 127 a bill that has anything to do with economic growth or job creation. It certainly is not a bill that speaks to fiscal responsibility, not when we have a government that's admittedly concerned about a deficit that could rise anywhere from \$5 billion to \$6 billion to \$7 billion, depending on which member of the government is offering a somewhat uninformed opinion at the time.

It's not fiscal responsibility in that kind of economic environment, with the revenues dropping and uncertainty about what the budget situation will be like, to suggest that the answer is to accelerate a tax cut. No economist anywhere is going to suggest that that's a measure of fiscal responsibility.

But I'll give the title this: Bill 127 is most definitely about choices. In my few minutes tonight, what I really

want to address is this whole issue of choices and consequences. I would be quite happy to engage with others in the debate about who's funding what, who's contributing what to which particular budget. I'd be happy to talk about the \$1.1 billion coming from the federal government this year for health care, all of it going into the corporate tax cut, which is being accelerated in this bill. But I quite frankly think that is a very deliberate attempt by the government to distract everyone in this debate and in fact in Ontario from the realities of dealing with what this bill is all about. This bill is all about priorities and choices and consequences.

I find it absolutely inconceivable that any government could be seriously considering more tax cuts, let alone accelerating tax cuts, when every public sector service that government should be about is so seriously underfunded and when people are paying the price of that underfunding on every front. I could give examples just from this week.

Education: there's a story in the papers this weekend about the Toronto Board of Education, which is going to have to close down a school for severely disabled children, just the most recent effect of the underfunding and the cuts to education that this government has made in order to pay for its first tax cut, because we're still paying for the consequences of that first tax cut.

Environment: there was a debate in the House this afternoon about Walkerton and the report that's going to be tabled on Walkerton. Without any question, part of that debate, part of the understanding of what happened in the tragedy of Walkerton, has to be an understanding of the consequences of cutting 33% of the staff of the Ministry of the Environment, cutting 45% of the budget of the Ministry of the Environment. But if it were just a consequence, perhaps they could say, "We've learned a lesson. We're moving on." But I come from northwestern Ontario, where small communities are getting boil-water advisories on a regular basis and they're getting no help from this government to improve their water treatment facilities. They will not be able to ensure clean water.

I just came from a debate last week on food safety, a piece of legislation this government has brought forward. One of the requirements to ensure that our food is safe in Ontario, pretty basic to health and safety, is that there be better inspection of food production. But there are no financial resources from the government to provide for those inspectors, and we know that one of the consequences of the earlier tax cut in fact was a cut in inspection.

We have a disabilities act that's going out for public hearings. Well-intended? Perhaps. It's certainly something that had to be done by a government that has promised a disabilities act for six years now and finally had to come forward with something. But all the disabilities act is, is a requirement to present plans, good intentions, whether it's on the part of the province or on the part of the municipalities, because there are no financial resources. This government has done nothing to provide greater access, greater participation for the dis-

abled in the life of our communities since they came to office.

Those are just a handful of the consequences that the people of this province have experienced and are going to experience that we've debated in this Legislature in the last few days. Then I come to health care, as the health critic. I only have five minutes and I want to talk about future consequences. Past consequences of health—hospitals paying the price of the first tax cut, \$800 million in cuts, and the minister can talk all he wants about increased funding for hospitals, but the reality is, in real per capita terms, that we are not yet back to the level that hospitals were being funded at in 1995, when this government took office.

Home care: we've over and over again tried to raise the limitations that are being placed on access to home care. Long-term care, the delisting of services, the fact that children cannot get hearing aid assessment, seniors can't get hearing aid assessments unless they pay for them out of their own pockets, waits for cancer care treatment—the Minister of Finance, who is wearing a hat as a leadership candidate now, says he's going to eliminate the waiting list for cancer treatment. I'd be really interested to know how the Minister of Health feels the Minister of Finance is going to be able to do that, because we're talking about resources. We're talking about resources for equipment, we're talking about resources for staff and we're talking ultimately about the consequences that people pay because this government has made tax cuts its priority, and not health care and not people and not public service.

It is inconceivable to me that any government could be talking about another \$2.2 billion in tax cuts to corporations and another \$500 million in a tax credit for private schools, when our publicly funded services are so underfunded and when the people's needs are so great. It's inconceivable, as I suggested, that they could be looking at a tax cut of any kind when we're experiencing an economic downturn. I don't know which minister to believe when they offer ideas of whether it's going to be a \$5-billion deficit that we could be facing or a \$6-billion deficit or a \$7-billion deficit, because I know what this government's answer is going to be by next April, when they see the consequence of another round of tax cuts, when they see that the consequence is going to be another deficit budget. They're going to say, "Oh, no, there's no way that this Conservative government"—that did get rid of a \$10-billion deficit that they inherited; let me recognize that fact—"is going to see another deficit budget." So what does that mean? It means more cuts, and I simply don't know where they're going to find the cuts, because the publicly funded agencies have already been bled dry, and people who need the services of those agencies cannot handle any more consequences of more cuts.

2050

Surely they're not going to cut social services again and put even more children on welfare. Surely they're not going to cut child protection, when children's aid

societies can't even find the resources to meet the legal mandate of going in to protect children. Surely they're not going to make more cuts to the environment, with all the lip service they're giving to their new-found concern for the environment. And, they're saying that there won't be any more cuts to health. What does that mean? In a world in which we have an increasing population—I think the Ontario Hospital Association says that they have to provide for a population that increases by the size of the province of Prince Edward Island every year—an aging population with more health care needs, increased demands on the system, new medications which we know in the long term will be cost-effective, they're certainly life-enhancing—all of these are driving up the cost of health care. Obviously they're going to drive up the cost of health care. So what does "no cuts to health care" mean? It means more cuts to services because the dollars to meet those increased needs for services and the inflationary costs and the increase in the population and the aging population are not going to be met by this government.

The tax cut to corporations: when the member for Scarborough East talks about putting money in people's pockets, that might have been true, theoretically, in the first tax cut, although I haven't found many average working families who are terribly grateful for that, because they've seen so many added costs taking money out of their budgets. But this tax cut, nobody can talk about putting money in the pockets of average families. It's going to wealthy corporations.

There is no way that tax cut is going to help the average family pay the cost of a hearing aid assessment for their child, or home care for an aging parent, or physiotherapy or speech therapy. In my home community, with the cuts to home care, speech therapy has been lost.

I do not believe that this bill is about economic growth. I don't believe it's about competition, because this puts us 25% lower in our corporate tax rate than our neighbours to the south. This bill is about right-wing ideology. It's about the choices that people make when they want to offer up tax cuts and they're not really very concerned about the consequences. It makes sense only to those people who believe the answer to the cuts to public service is to let people pay privately out of their pockets. That is no advantage to the average working family in this province.

**Mr Kormos:** On a point of order, Mr Speaker: Quorum call, please.

**The Acting Speaker:** Is there quorum present?

**Clerk at the Table (Mr Todd Decker):** Mr Speaker, a quorum is not present.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** Mr Speaker, a quorum is now present.

**The Acting Speaker:** Thank you. Questions? Comments?

**Mr Kormos:** This is why it is so regrettable that the government is imposing what we call time allocation,

what we call a closure motion, because this bill is about so many things more than just budgetary measures in their barest sense.

I was over at Ross Street school again a couple of weeks ago on a Saturday. The Ross Street school on Niagara Street in Welland is holding at least three, four, I think up to five fundraisers a year now. Teachers, parents and students are in there on a Saturday, doing all kinds of preparatory work on a Friday, and this last weekend, two weekends ago at Ross Street school, it was all about, again, some of the most fundamental things that those students needed for their day-to-day education. They weren't raising money for frills. They weren't raising any money for extras. They were raising money for core elements of their school funding, and Ross Street school isn't unique. More and more teachers, more and more parents of students in these elementary and high schools are spending more and more time raising money. Why? Because you can't give the profitable corporate friends of the Tories a \$2.2-billion to \$2.4-billion tax break without getting the money from somewhere else. Let me tell you—especially when you're looking at a \$5-billion or maybe a \$6-billion or \$7-billion shortfall because of the recession, which this government's tax breaks did nothing to protect us against—you're inevitably talking about scooping money out of the budgets of health and education, the two big-ticket items in provincial expenditures, as they should be. Mark my words: there are going to be more health cuts, there are going to be more delistings of medical and other surgical procedures, there's going to be more money stolen from education at the elementary and secondary levels and, yes, the post-secondary school level because of this.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise this evening and say a few words on Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act.

Right off the bat, I want to compliment the finance minister for bringing forth this piece of legislation. Obviously, with the downturn in the economy, and of course in the aftermath of September 11, it was nice to see a follow-up economic review of the budget that was introduced in May. I think we've been after the federal government for almost two years now to provide some kind of budget. For some reason, Mr Chrétien and Mr Martin didn't want to do a budget last year.

**Mr Beaubien:** They've been on holiday.

**Mr Dunlop:** They've taken a two-year holiday. Now they've been shamed into doing a budget, I think, on December 10. Of course, as soon as you mention the federal government in this House, the members opposite go out of their minds. They don't want to hear about the health care issues. The fact of the matter is—and I think the members from the third party will probably agree with me on this—we have about a \$17-billion surplus in Ottawa. About half of those dollars are from Ontario taxpayers. Is there something wrong in the Premier of Ontario, acting on behalf of the citizens of Ontario, asking for some of their hard-earned dollars that are

sitting in federal coffers to be returned to our health care system that they so inadequately fund? Back to the story: 14 cents on the dollar is what we're receiving, \$60 million a year less this year than we received in 1995. I think that's a concern. I don't think anybody in Ontario anybody in Canada would blame Premier Harris for going after those funds. It's fair to say the federal government owes the Ontario taxpayers money. It's as simple as that. I've only got a couple of seconds left, but I do appreciate this opportunity tonight.

**Mr Bradley:** The member for Thunder Bay would know, of course, that Mike Harris does not want the money for health care.

*Interjections.*

**The Acting Speaker:** Order. Stop the clock.

*Interjection.*

**The Acting Speaker:** Member for Hamilton East.

*Interjections.*

**The Acting Speaker:** Order.

Member for St Catharines.

**Mr Bradley:** You can tell, when the government members are yelling and protesting as strongly as they are, that they're in a vulnerable position. I almost felt sorry for Mike Harris. There he was: he went down to Ottawa to make his speech and, you know, he wanted to put something over on people at that time. He wanted to try to convince them that he wanted the money for health care. Everybody knows what he wants the money for. He's got to pay for those tax cuts. The Honourable Chris Stockwell, Minister of Labour, said it. He said, "Look, you can't afford tax cuts next year. It's crazy. You can't square that circle." Do you know something? The Honourable Chris Stockwell, Minister of Labour, was right. He must be embarrassed at having the Premier in Ottawa. The jig is up. Everybody knows what he wants the money for. He's losing all this money on tax cuts, and he's now got to use the money for something else.

If I were the federal government, I would spend the money directly on health care. I would never hand it to these people, who will simply put it in their pockets for their tax cuts, the way they do with a lot of federal expenditures, and then smile merrily as they go on.

The other concern I have—the member mentioned it in her speech—is the funding formula, which forces local boards of education to close schools. At the present time in St Catharines, Consolidated, Victoria, Maplewood, Lakebreeze and Dalewood are all under the gun from the local board of education. Is it because the local board wants to close these excellent neighbourhood schools? No. It's because of a funding formula imposed by the provincial government, a funding formula that is driven by their incessant need for tax cuts for the rich corporations.

2100

**Mr Bisson:** I've got to say I am so excited and so happy that all of a sudden the Tories have figured it out. They've figured out that there's a problem where the federal government has been downloading its responsibility on to the provincial government. I'm so happy

because they're finally getting the message we were trying to give in government, that the federal government was absolving itself from its responsibility of transferring much-needed dollars, which came from the taxpayers of Ontario, to the provincial coffers to deal with their fair share of the responsibility for building and paying for the health care system, education and other much-needed systems.

I wonder why, all of a sudden, there's been this change. I was a member of the government when Mike Harris used to stand and say, "You don't have a revenue problem; you've got a spending problem." I say to the government across the way, you've got the same spending problem. You're giving out over \$6 billion in tax cuts, and then you're running to the federal government and saying, "Poor me. I need more money. I can't afford to pay for health care." Then you've got Harris saying, "It's so bad that if I don't get my 18% share of health care I'm going to either privatize the health care system or put user fees into the system." That's what he accused and attacked Prime Minister Chrétien with just yesterday.

I say to Mike Harris and I say to the Conservatives, finally there's some common sense on the other side. You've finally agreed with Bob Rae that there needs to be a fair share of revenues coming back that go over to the feds coming back to the province of Ontario. It's better late than never, I guess. I would have appreciated it before 1995. It might have helped us a bit more electorally. But finally you've figured it out, and I've got to congratulate you because, yes, it is a problem. The federal government is not transferring the dollars to the province that they should, but you shouldn't be putting it out in tax cuts.

**The Acting Speaker:** Response?

**Mrs McLeod:** Thank you, Mr Speaker. I do appreciate the comments of my colleagues, although I was a bit surprised at the contribution of the member for Simcoe North, who welcomed this as a follow-up to the budget that the government presented last spring and seemed pleased that there would be a follow-up following the economic downturn. Well, I think most objective observers of this particular bill as a follow-up to last spring's budget would wonder why it did not take into account the economic reversals we've seen since that budget was presented, and I would suggest that perhaps the Minister of Finance, in bringing forward this bill, has on ideological blinders that are so fixed that they've got him pursuing a direction nobody else understands.

The government keeps trying to offer up very old arguments, which they might have been able to trot out prior to the presentation of the spring budget, about the tax cuts somehow creating jobs and economic growth. They don't want to take into account the fact that we've lost 30,000 jobs in the last year. They don't want to see that as being a significant failure of their argument that tax cuts produce economic growth. The tax cuts are still there. They're offering us more of them, and we're losing jobs.

I don't happen to be one of the people who hold this government accountable for the economic downturn. I think that as the United States economy goes and as our export industry goes, so goes our economy. But just as I don't hold them responsible for the economic downturn, I give them absolutely no credit for having encouraged our economic good times through their tax cuts.

What I know for sure is that another round of tax cuts is going to bring consequences that are simply intolerable for public services and for people in this province. I am amazed that the Minister of Health, who should be begging for more money for health care services, is actually proposing another \$500-million cut in taxes if he becomes Premier, in the health levy, no less. He wants to put money in the pockets of the truly wealthy and then free them to go out and buy their health care. That's the sense of his point.

**Mr Bisson:** On a point of order, Mr Speaker: It looks like we don't have a quorum again.

**The Acting Speaker:** Is a quorum present?

**Clerk at the Table:** Mr Speaker, a quorum is not present.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** Mr Speaker, a quorum is now present.

**The Acting Speaker:** Further debate? The member for Trinity-Spadina.

*Applause.*

**Mr Marchese:** Thank you, my friend from St Catharines.

Ten minutes is all we get. Please, 10 minutes is all we get. What is 10 minutes in this place when there is so much to be said? Ten minutes—look at the clock. It's 9:05 now. I've got 10 minutes, and do you know what? They have announced that they're going to move closure on this bill.

*Interjection.*

**Mr Marchese:** Minister of Citizenship, what was that? I didn't hear.

**The Acting Speaker:** This is not a time for discussion of scores. It's your debate time; you have the floor.

**Mr Marchese:** As I was saying, this government has announced that they're going to move closure on this bill. Why are they moving closure on this bill? Not because they're happy to debate, because if you've noticed, Speaker, in the last little while I have made the observation that they are afraid. I've got to tell you, people who are watching this parliamentary channel have seen the polls and they can't be pretty. Otherwise, you would not have had so many Tories stand up, day in and day out, whining about why the feds are not giving them enough money.

Why else would they whine, except and unless they've seen the polls and the polls are not pretty? Why else would they be whining, unless M. Flaherty, the illustrious Mr Flaherty, the Minister of Finance, has indicated to this group in a regular caucus meeting that they have a financial problem on their hands? Why else would you be hearing from these Tories, day in and day out, that they

want more money from the feds, even though the member from Scarborough East argued, "Why, our revenues have gone up 50%?" My goodness, I argue to you, good citizens all, if revenues for the Ontario government have gone up 50%, why do they whine so much about why the feds are not giving them enough? Presumably, if your revenues have gone up by 50%, you wouldn't need somebody else's money, would you, because it would mean that your pockets are full.

**Mr Agostino:** Overflowing.

**Mr Marchese:** Exactly. Your pockets would be overflowing with money. Wouldn't you argue that, Rocco? Sure, I would argue that. But it means that for some reason, they don't have enough money in their pockets, it seems. Why? Because they're giving it all away with big, long shovels. They're giving it away, and do you know who's suckling at the public trough? Why, the corporate sector is sitting there suckling at the public trough day in and day out, and boy, are they happy to receive. And the government is happy to give. They give and they give, and the corporate sector and the wealthy Ontarians are happily suckling at the trough.

**Mr Kormos:** Like Romulus and Remus.

**Mr Marchese:** Like Romulus and Remus indeed, suckling there, and they can't get enough from this government. They can't get enough. They're shovelling it away, and then they say to Chrétien, "You're not giving us enough money," as they give it away and they're suckling there, like this. It must taste really good to give your public taxpayers' money away so easily.

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**Mr Kormos:** It sure is fattening.

**Mr Marchese:** Sure, it's fattening. Of course it's fattening. They can't get enough. They cannot get enough from this government. My buddy Clement, the Minister of Health, says, "They're not getting enough." Why, if he gets elected, he's going to give them some more, right?

They're waiting there just suckling away, enjoying it to the last lap. Clement loves to give your money away. He's not happy with how much he's given. He wants to give more because the private sector is saying, "Give us more. We'll create more jobs."

So I say to myself, OK, the federal Liberal government says they created all these jobs and they hadn't given tax cuts until a short while ago, a year or a year and a half ago or so. They were creating these jobs in spite of the tax cuts. But that cannot be, because the Tories argue, no, their tax cuts are producing all these jobs. Now, who do you believe? Do you believe the Liberals nationally, who are saying it's because of them that we have a good economy? They hadn't given any tax cuts until last year. I've got to tell you, I'm not happy about that, because the economy's going down. That money's going to go away really quickly when they give it away to the corporate sector at the federal level as well, so I'm not happy with that. But they claim they created a great economy without the tax cuts, and these guys say, "No, we did it." Ontarians, take a look at that contradiction, please.

Then Harris argues, "Because of the tax cuts we will keep away the recession." He said in this place, "If you bring back the New Democrats or even the Liberals, you'll have a deficit. Keep us and you'll keep the recessions and deficits away." Are you following me, Ontarians? Because these other people are yapping away, they're sleeping in here, and they're not listening. But are you listening to me? You've got to take note of the contradictions and take note of what these people say.

Liberals created a good economy without tax cuts for a long time. Now they're giving tax cuts and they don't have the money and they're in trouble. Tories have given tax cuts and they're creating jobs and they will kick the recession, and we're now in trouble. We don't have any money, to the point that Mr Tsubouchi, the Chair of Management Board, said, "Boys, tighten up the belts. We don't have enough money. We're going to have to cut \$5 billion."

But I thought we had a great economy and I thought we were supposed to be well off with respect to every asset of public life that we value. Well, we value our educational system, yet our educational partners said they cut \$2.3 billion at the elementary level. How can that be?

Someone is playing Iago. Do you remember Iago in Othello, honest Iago who went to Othello and said, "Desdemona is deceiving you," and because of it he commits a most egregious crime against Desdemona? Anyway, this was honest Iago. They, the Tories, play honest Iago all the time. They say, "Trust us. We put more money into education." The Tories say it. The member from Niagara Falls is about to stand up in two minutes and say how much they have given to education. He's about to stand up; I can see he's edgy.

Look at the cuts they have made to health care because they haven't kept up with inflation and they haven't kept up with the increased numbers of immigrants we have in this province. Look at the cuts they made to Natural Resources, Environment—oh, such a bloated bureaucracy. They needed to cut that bloated bureaucracy, with dire consequences. People died in this great economy of theirs; they didn't die in a recessionary period under New Democrats.

We now have a housing shortage that you wouldn't believe. We have rents skyrocketing, and people can't afford it. We have people on welfare because these people took money away from them, and even though they've taken all this money away from the very poor, they still don't have enough for what we need. They're whining about the feds not giving them enough as they give it away to the wealthy, who are suckling away.

So I say to you, Ontarians, we have a serious problem on our hands. New Democrats unequivocally said in 1999 we would roll back tax cuts. Why did we say that? We said we would roll back tax cuts for those who make taxable income of \$80,000, which amounts to \$90,000, \$95,000, close to \$100,000. They're doing OK. We would roll them back, we said in 1999, when we anticipated there would be problems and that we would need money. But not them. They're so ideological, like

Mr Clement and others who say, "Oh, we're going to cut more taxes, because people earn it and we need to increase their tax cuts so we can get more money back so we can make more cuts"—to our education system and to our health care system, which is in a shambles. Some people are dying. The system is in a shambles and they're going to cut \$5 billion as they give billions away in shovelfuls.

We need debate. We don't need closure motions. We need more and more debate so the people of Ontario can listen to the problems they're experiencing and suffering.

**The Acting Speaker:** Questions and comments?

**Mr Maves:** It's a pleasure to rise and respond to my good friend the member from Trinity-Spadina. I'm a little bit worried because for six and a half years now, and even beyond that a little bit, the Liberals have jumped around. They've had a different position on every issue: a different day, a different way of looking at things. They put the finger up in the air and the wind's blowing a different way, so different positions on taxes, different positions on spending.

The NDP is always consistent. They have two things they've always said. Number one is to tax more. When they were in office, they taxed and taxed. When we were in office, they said, "Don't cut taxes. You should add taxes and add taxes." When they campaigned in 1999, they wanted to add taxes. Why? They believed they should take more and more money from those people who work hard and earn it and let government spend it because, I guess, government knows better, because it knows how to make it work better. The economy be damned. Scare away business investment? "Phooey," they said.

The other thing is to spend more. It was spend, spend, spend in the early 1990s and a balanced budget be damned. Deficits were good, they thought. Deficits were going to help the economy. Debt? "Don't be afraid of debt. It's OK." So they racked up \$50 billion.

Here's what scares me. They've always been consistent with their messages, so you knew where they stood. But now, as to their "tax more," about a couple of weeks ago they started calling for tax cuts. They're the second-to-last party in Canada to start thinking tax cuts are good. They started calling for tax cuts. Now I'm getting worried.

Now, tonight, they're leaving their "spend more," that the government should keep spending and spending. Tonight they're starting to leave that position and they say now that we're spending too much. So I'm getting a little worried. I hope they can get back on message because we really need them to do that.

**Mr Bradley:** The first tragedy, of course, is that the member for Trinity-Spadina is confined to 10 minutes of speaking time because of the new rules, and that in itself is a detriment to this House.

I want to compliment the member on clearly identifying the choices available to this government. The government can either invest money in health care or invest money in tax cuts for the wealthiest people in the

province. They have decided they're going to spend money on tax cuts. They admitted it and I suspect the member for Scarborough East, who enters the chamber now and is a true believer, would truly believe that would be the case.

If you had people on the government side who said, "We've made the choice; we're going to cut taxes and to heck with the health care system, the education system or any other government expenditures; we believe that tax cuts are supreme," if they said that, at least they would be putting forward a consistent position, but what Mike Harris wants the money for—

*Interjection.*

**Mr Bradley:** The member is quite right. What he wants federal transfers for is to pay for his tax cuts. He understands, as the Honourable Chris Stockwell, the Minister of Labour, now understands because he's against further tax cuts, and as the member for Trinity-Spadina understands, these tax cuts are going to cost the government up to \$3.7 billion in revenue. They've got to find the revenue somewhere, so they're going to the federal government now and saying, "Please give us money for health care."

If I were the federal government, I would spend the money directly on health care. Why would you transfer it to these people so they can put it in their pockets and give it away in tax cuts? They have a choice, as the member points out, either tax cuts or health care, and they've chosen tax cuts and they're going to have to live with that.

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**Mr Kormos:** First, I applaud the member for Trinity-Spadina. He laid it out here in a way that's very real. I do wish he'd address the somewhat mixed metaphor of suckling at the trough. That's a mixed metaphor in terms of how I understood it. I'm sure the member will correct himself when he gets to respond to these questions and comments. But at the end of the day, whether he mixes his metaphors or not, the fact is that tax cuts cost our health care system, they cost our education system and they cost our Ministry of the Environment.

Nobody likes to pay taxes, I acknowledge that. I don't like to pay taxes. I don't like to pay for gas for my car, though, either. At the end of the day, if we're going to have public institutions that serve our families and our communities, if we're going to build a public health care system that ensures every person in this province and in this country gets adequate medical treatment, then we've got to invest in it. You can't keep stealing from it to pay off your rich corporate friends, to pay off your wealthiest of the wealthiest here in Ontario. If we really believe in quality education, then we have to be prepared to invest in it, as taxpayers.

The minimum wage in here is \$78,000 a year and there's but a handful who don't make more than that. The people in this chamber are the ones who got the tax cuts. They're not the ones who need it. Paying for the tax cuts of the people in this chamber and of even wealthier and

higher income earners is what has robbed health care and education.

**Mr Dunlop:** I appreciate being able to make a few comments on the member from Trinity-Spadina's time to debate here this evening. There's been a lot of opposition tonight from the opposition parties to the acceleration of the tax cuts; no question about that. When I think of tax cuts, I also worry about the interest rates we pay at our banks. I don't think that David Dodge, the governor of the Bank of Canada, was appointed by Mike Harris. I could be wrong. Maybe he was. If I'm not mistaken, he was a federal appointment. I don't think Brian Mulroney appointed him either. I wonder who appointed him? It wasn't Alexa McDonough. It might have been Jean Chrétien. I wonder what David Dodge is doing with the Bank of Canada interest rates right today? He's lowering them.

**Interjection:** Why?

**Mr Dunlop:** Because it stimulates the economy. It helps invest in the economy. That's the same as tax cuts. That's what helps business. Do you not understand that? Where are you coming from over there? You stimulate the economy by dropping interest rates for businesses and the people of Ontario. You don't understand that. The fact of the matter is, you don't want to hear that David Dodge is doing that, because that's saving businesses money and that's saving taxpayers money, the same as corporate tax cuts and individual personal income tax cuts help individuals. It is to stimulate the economy. We are taking advantage of a downturn in the economy. It will create jobs. It will strengthen the economy of the province.

**The Acting Speaker:** Response?

**Mr Marchese:** I wish I had time to respond to friends and foes alike, but I don't.

**Mr Kormos:** Will you at least straighten out your metaphor?

**Mr Marchese:** We will deal with the metaphor when I have 20 minutes.

The member from Simcoe North argued earlier—don't go away—that Ontario pays close to 50% of the taxes—you said earlier—and doesn't get as much back. It doesn't pay as much as 50%; it is about 44% or 46%, in that range. But it doesn't matter. He says we are not being treated fairly by the federal government. It's an interesting argument. The city of Toronto says, "Hold on here, we pay close to 44% of taxes to the province of Ontario and we're not getting our money back. In fact you're downloading more costs to us. What gives?"

I wanted to tell my buddy from Simcoe North, who's not able to be present, to listen to this argument. It's not fair. You can't make one argument for them and then forget that there's the city of Toronto saying, "Give us the fair share that we give to you."

*Interjections.*

**Mr Marchese:** Now they're whining again. They whine; they whine in every which direction. They whine north, they whine south; they whine every which way. They whine everywhere. Then the member for Niagara

Falls says, "The NDP spent and spent and spent and spent."

*Interjections.*

**Mr Marchese:** Hold on. I've only got 36 seconds.

The NDP did spend; it's true. We spent. On capital projects, on sewers that we need, on bridges, on highways, on schools, on hospitals, we spent. What are they spending on? They're spending your taxpayers' money,

giving it away to the wealthy as they suckle at the public trough. That's where your money is going. It's going to the corporations, who love to receive, and it's going to the wealthy. That's the difference between us and them.

**The Acting Speaker:** It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2126.*

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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# Legislative Assembly of Ontario

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# Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Wednesday 28 November 2001

Mercredi 28 novembre 2001

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L'honorable Gary CarrClerk  
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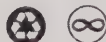
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 28 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 28 novembre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### JOAN FLOOD

**Mr Bruce Crozier (Essex):** Her Worship Mayor Joan Flood, mayor of Essex, has died after a brief but courageous fight with cancer.

First elected mayor in 1999, Joan was re-elected last year. Previously, from 1981 to 1999, Joan was a trustee of the Essex County Board of Education, later to be named the Greater Essex County District School Board, and served as chair of that board for 10 of those 18 years.

Joan and I were candidates in a provincial by-election in 1993, just eight short years ago. Joan was as tough a fighter then as she has been in her recent battle against cancer. But then, as recently, Joan never lost her perspective of who she was, where she was going or why she was headed there.

In recalling our election campaign, Joan recently said, "It's well documented I can verbally spar with the best of them. Sometimes my jabs did hit below the belt." I can attest to that, but we were always friends.

On tendering her resignation as mayor, Joan said: "I've learned that sometimes one's passion can be so strong that visually you are blinded by your own sincerity. I will be forever grateful to the people of Essex who have bestowed the mayor's honour upon me."

Joan had passion. She had vision. She loved her Essex, and I might add, she loved her Tory party.

From this Legislature, the friends in this House who knew her, and from the citizens of the riding of Essex, our sympathy and our prayers go to her husband, Charlie, and her supportive and loving family. God rest her soul.

#### OSPCA PUPPY MILL RAIDS

**Mr Bert Johnson (Perth-Middlesex):** I rise today to draw attention to the successful raid by the Ontario Society for the Prevention of Cruelty to Animals' special operations unit on three alleged puppy mills in my riding of Perth-Middlesex.

I'm obviously not proud that these alleged puppy mills were operating in my riding, but I am proud to be part of the government that funded the Ontario SPCA's crack-down on these operations.

On Monday, the Ontario SPCA executed search warrants at three suspected puppy mills in the township of Perth East. Twenty-five dogs were taken from the three locations. These were the first animals rescued from the puppy mills by the Ontario SPCA's special operations unit, which was established this fall with the help of a \$50,000 grant from the Solicitor General.

In two of these three cases, the investigation was assisted by tips from the public. I want to thank my constituents who helped in those tips.

These tips show the public's concern about the suffering caused by puppy mills. The two private members' bills dealing with puppy mills show that we in the Legislature are in sync with public opinion on this issue. I want to thank the members for Eglinton-Lawrence and York North for keeping this issue on the front burner.

I tell you about this to assure members of this House and the public that while we debate what more can be done, this government is already acting to eliminate puppy and kitten mills.

#### PRIVATE CLINICS

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** A new private MRI clinic is about to set up shop in Ontario. It is certainly not likely to encounter any opposition from the Minister of Health, who is a great believer in the benefits of private sector delivery of health care. The minister will, however, have some questions to answer about this clinic. The first question: how will the minister ensure this clinic is not doing any MRIs for OHIP-covered services?

The minister will surely be aware of the history on this matter. His predecessor, just last year, had to deal with a concern about private individuals paying for MRIs at the William Osler Health Centre. The private company doing the MRIs there insisted that all their billings were legitimate, but in fact it was found that there were a number of inappropriate billings—that means people paying privately to jump the queue.

At about the same time a year ago, there was a furor in Alberta where hundreds or even thousands of individuals paid privately for MRIs because of their frustration with the waits. The Alberta government had to pay back the individuals who were supposed to have been able to get their MRIs in the public system, and then they were forced, because of public outrage, to actually provide better access to publicly funded MRIs.

That's the second question for the Minister of Health. What is he prepared to do to reduce waiting times for MRIs on the public machines in public hospitals?

People are extremely frustrated with waits for MRIs that can be as long as seven months in some parts of the province. The province was adding 12 MRIs across the province this year, but the waiting list grows by 1,200 patients a year. The association of radiologists says that we need 80 MRIs, not 12.

Two-tier Tony often talks about private delivery and private pay as the answers to rising health care costs. We agree with Allan Rock when he says, "If an MRI is medically necessary, it should be provided publicly. It's as simple as that."

### ONTARIO MARINE INDUSTRY

**Mr Doug Galt (Northumberland):** It's my great pleasure to rise in celebration of Ontario Marine Day. Today in Toronto, representatives of marine communities across Ontario are meeting with government officials to discuss how the government and members of the Legislative Assembly can work in partnership, a partnership that will ensure a healthy, safe, efficient and competitive shipping industry.

Tens of thousands of jobs in Ontario communities rely on the ability to ship and receive goods by water. Men and women in the steel and construction industries, mining and agriculture, in our ports and on our ships, have made a livelihood through the efficiencies found in moving goods through our Great Lakes-St. Lawrence waterway system.

Through technological advancements and a highly skilled workforce, the marine community continues to be an effective and efficient component of Ontario's transportation infrastructure. In moving more than 75 million metric tonnes of cargo each year through Ontario, worth more than \$5 billion, our province's marine industry plays an integral role in Ontario's economic health.

As the most environmentally responsible mode of transportation, the marine industry that serves Ontario is well positioned to support the province's emissions reduction goals in the coming years.

With more than half of Canada's international trade moving by waterborne transit through Ontario's ports, marine communities across the province are working with all governments to prepare to meet the future environmental and economic challenges of our great nation. I am pleased to support those efforts here today.

I know it's not a point of order, but representatives of the Ontario marine association sitting in the members' gallery are John Greenway, Robert Paterson, and Camille Trepanier. Please join with me in welcoming them.

### STUDDED TIRES

**Mr Rick Bartolucci (Sudbury):** Yesterday the first blast of winter hit my community of Sudbury. Yesterday the OPP in my area of northern Ontario investigated 97

accidents, 30 of them involving serious personal injury and, tragically, six people lost their lives. The OPP has stated that road conditions and weather conditions were the predominant factors.

Today I again call upon the Harris government to increase money for winter road maintenance. I also call upon the Harris government to pass my bill, Bill 119, which will allow for the use of studded tires in northern Ontario.

All studies indicate that studded tires save lives. All studies indicate that studded tires reduce accidents. Olle Nordstrom, an expert in winter tire performance, has stated categorically that cars with studded tires stop more safely and quickly than cars with winter tires or all-season radials. Sadly, Ontario is the only province which does not allow the use of studded tires.

Today I demand, on behalf of the people of northern Ontario, that the Minister of Northern Development and Mines wake up and speak up and that the Minister of Transportation act in the best interests of northerners. The firefighters from Sudbury who are in the gallery today, Chris Stokes, Marc Leduc and Mike Ouellette, have seen enough mangled metal and broken bodies. They have seen enough tragedy. Pass Bill 119, the studded tire act, and help reduce the carnage and tragic loss of life, which are all too often the end result of poor road conditions in northern Ontario.

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### CLEAR-CUTTING

**Mr Gilles Bisson (Timmins-James Bay):** Today, I had the opportunity to attend a press conference that was presided over by none other than John Snobelen, the minister against forestry and for clear-cuts in the province of Ontario. The minister had the gall to go there and tell us, the Ontario public, that these guidelines were an end to old-style cutting when it comes to clear-cuts in Ontario.

Talk about taking a step backwards. We're going back, we're going way back, to the old days when forest companies were allowed to go into the forest and basically cut every tree that stood, without any regard for the environmental protection of our forests and environmental protection overall when it comes to forest policy.

Imagine this; get a load of this. Nobody is going to believe this, but it's true: the minister is saying that you're going to be allowed to cut every tree within one hectare except for 25 of them. That's what his new guidelines amount to. He says he wants to emulate what forest fires do to the forests in Ontario. The last time I checked, we spend millions of dollars to put out forest fires in the forests across Ontario. We're not out there trying to start them.

I say to Mike Harris and John Snobelen, get away from the lighters, because we know what you're going to do to forests from now on. We're saying get back to sensible practices when it comes to forestry in this province and get away from what you're trying to do, because

it is a step in the wrong direction. It will bring us back to the bad old days when we couldn't get access to markets because our forests were not being cut in a sustainable way.

### NANTICOKE GENERATING STATION

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I wish to inform members of the Legislature of the green energy thinking being put into action at the Nanticoke generating station in my riding. This is a plant that a Liberal member opposite keeps referring to as "dirty coal-fired." We in my riding and the 600 men and women who work there are proud of our plant and its environmental and efficiency record.

This past Monday this province made another step toward emissions reduction when Ontario Power Generation announced a \$250-million investment into new smog-reducing emission control technology for both the Nanticoke and Lambton generating stations. OPG has contracted with Babcock and Wilcox of Cambridge to provide four selective catalytic reduction units to be split between the two generating stations. This equipment will remove 80% of the nitrogen oxide emissions from the coal-burning units to which they are attached. Total station emissions will drop by 25%. Across the province, this week's announcement will mean an annual 12,000-tonne reduction in nitrogen oxide emissions, and this is the equivalent of taking 600,000 cars off the road.

This commitment, coupled with \$2 billion in emission control investments over the last decade, will better position Nanticoke to meet new environmental emission caps that were announced by our Ministry of the Environment this past month. These are some of the toughest regulations in North America.

### FIREFIGHTERS

**Mr Dave Levac (Brant):** It's a privilege and an honour to stand here today on behalf of Dalton McGuinty and the Liberal caucus to extend to the Ontario Professional Fire Fighters Association, to each and every one of you here today, a heartfelt welcome. We in the Liberal caucus recognize and appreciate the job you do to keep our families safe and secure.

We now have an even better understanding of the dangers you and your families face since the tragedy of September 11. We worked with you before this date and we have continued to work with you after September 11 to ensure you are properly funded, equipped, trained, safe and appreciated. That is why we proposed the Firefighters' Memorial Act, changed the Safe Streets Act to allow you to continue to do your good fundraising activities, the right-to-know legislation to keep you safe, and why I wrote to the Solicitor General on September 9 asking him to join me to build a wall of honour around the monument in Gravenhurst. The names of all the firefighters who have given the ultimate sacrifice in the line of duty should be and must be added to that wall. As

well, Dalton McGuinty's Ontario security fund will put \$100 million into the safety and security of the families of our province.

Today I will further show how serious we are about our commitment to the communities and the firefighters of this province by introducing legislation making inappropriate staffing levels a thing of the past. We support Bill 105 and look forward to its quick passage. We will continue to be an inclusive party that respects the province's firefighters. Again we thank you, our firefighters and your families, for just doing your job.

### HEALTH PROTECTION AND PROMOTION LEGISLATION

**Mr Garfield Dunlop (Simcoe North):** I'm honoured to rise this afternoon to welcome Ontario firefighters to Queen's Park on their annual lobby day and to promote my private member's bill, Bill 105, the Health Promotion and Protection Amendment Act, 2001. The bill would allow emergency service workers, good Samaritans and victims of crime the opportunity to request a blood sample from someone they have come into contact with who they suspect has an infectious disease.

My office has worked very hard to consult with stakeholders from across our province who have a direct concern about the lack of legislation in this area. I want to make it clear that all our consultation was prior to the tragedies of September 11. September 11 emphasized to the world the contributions made by emergency workers and others to our society.

Currently victims of crime, emergency service workers and good Samaritans, and their families and friends, are put in a lonely and frightening position when they become involved in incidents where they come into contact with bodily fluids of someone suspected of having an infectious disease such as hepatitis or HIV.

I ask all members of this House to work together to see speedy passage of Bill 105. As a society and as legislators, we must do everything we can do to protect those people who protect us.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy. I want to commend the hard work of the staff of the committee and of the Ministry of Agriculture and the Ministry of the Environment for all their hard work. Over the past three years there's been an awful lot of consultation on this legislation, and I'm proud to move it's adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / *Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épanchés et apportant des modifications connexes à d'autres lois.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

Pursuant to standing order 72(b), the bill is therefore ordered for second reading.

#### SELECT COMMITTEE ON ALTERNATIVE FUEL SOURCES

**Mr Doug Galt (Northumberland):** I beg leave to present the interim report of the select committee on alternative fuel sources.

**The Speaker (Hon Gary Carr):** Mr Galt presents the committee's report. Does the member wish to make a brief statement?

**Mr Galt:** Our interim report, which I am tabling today, is a summary of our initial hearings. It is designed as a discussion paper to encourage public debate on where the committee and the province should go from here. Some of the major topics discussed are water power, wind power, solar energy, energy derived from biomass, alternative transportation fuels, hydrogen and fuel cells. We also looked at the role of energy conservation and efficiency, and how public policy and education can encourage alternative fuels and energy use.

We face a world of rising fuel costs, dwindling resources and increasing concern about air quality. The task of this committee is to ensure that all the options are explored, all the fuel sources examined and the best solutions for Ontario's future recommended. Our work is not complete, but we look forward to your feedback and to the feedback of the public, environmental groups and the industry stakeholders on our interim report.

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#### INTRODUCTION OF BILLS

##### NIKKEI HERITAGE DAY ACT, 2001 LOI DE 2001 SUR LE JOUR DU PATRIMOINE NIKKEI

Mr Wettlaufer moved first reading of the following bill:

Bill 140, An Act to proclaim Nikkei Heritage Day / *Projet de loi 140, Loi proclamant le Jour du patrimoine Nikkei.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Wayne Wettlaufer (Kitchener Centre):** Japanese Canadians who lost much of their property and who lost many of their civil rights during the Second World War have made many contributions to the development of Ontario and to Canada. They presently have a cultural day that they recognize among their own community. It's the Sunday closest to September 22 in each year and it is called Nikkei Heritage Day. This bill will proclaim the Sunday closest to September 22 in each year as Nikkei Heritage Day and give appropriate recognition to that.

#### FIRE PROTECTION AND PREVENTION AMENDMENT ACT, 2001

##### LOI DE 2001 MODIFIANT LA LOI SUR LA PRÉVENTION ET LA PROTECTION CONTRE L'INCENDIE

Mr Levac moved first reading of the following bill:

Bill 141, An Act to amend the Fire Protection and Prevention Act, 1997 / *Projet de loi 141, Loi modifiant la Loi de 1997 sur la prévention et la protection contre l'incendie.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Dave Levac (Brant):** In respect to the citizens of Ontario and to the firefighters across the province, the purpose of this bill is to require that any proposal to reduce or restructure fire protection services be approved by the fire marshal before implementation. The fire marshal would be required to report annually to the minister on proposals that are reviewed, either accepted or rejected.

#### CITY OF OTTAWA ACT (CONSOLIDATION OF SPECIAL ACTS), 2001

Mr Guzzo moved first reading of the following bill:  
Bill Pr21, An Act respecting the City of Ottawa.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

#### LOI DE 2001 SUR LES COMTÉS-UNIS DE PRESCOTT ET RUSSELL UNITED COUNTIES OF PRESCOTT AND RUSSELL ACT, 2001

Mr Lalonde moved first reading of the following bill:  
Projet de loi 142, Loi autorisant la réglementation municipale de la perturbation et de l'extraction de la

tourbe dans les Comtés-Unis de Prescott et Russell / Bill 142, An Act to permit municipal regulation of peat disturbance and extraction in the United Counties of Prescott and Russell.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** The bill gives authority to the municipal council of the corporation of the united counties of Prescott and Russell to pass bylaws to control peat extraction within the counties.

## GRAVESITES OF FORMER PREMIERS ACT, 2001

LOI DE 2001

## SUR LES LIEUX DE SÉPULTURE DES ANCIENS PREMIERS MINISTRES

Mr Peters moved first reading of the following bill:

Bill 143, An Act to preserve the gravesites of former premiers of Ontario / Projet de loi 143, Loi visant à conserver les lieux de sépulture des anciens premiers ministres de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Steve Peters (Elgin-Middlesex-London):** This bill, if passed, would require the Minister of Tourism, Culture and Recreation to mark the gravesites of former Premiers of Ontario and permit the minister to make arrangements for the care and preservation of such gravesites.

If passed, the province would, by means of flags of Ontario and Canada, plaques and signs, mark the 18 gravesites of former Premiers of Ontario in the dignified and respectful manner they deserve.

This legislation is modelled after the federal Prime Ministers' gravesites act.

## VISITORS

**Mr Mario Sergio (York West):** On a point of order, Mr Speaker: I would like to introduce to the House members of the York West Riding Association, sitting in the west gallery. They represent part of the largest group to send a Liberal member to Queen's Park, election after election.

## CLINTON SUZACK

**Mr Rick Bartolucci (Sudbury):** On a point of order, Mr Speaker: following Corrections Canada's failure to move Clinton Suzack to a maximum-security prison, I seek unanimous consent to move the following motion without debate:

The Legislative Assembly of Ontario denounces Corrections Canada's decision to transfer Clinton Suzack

from one medium-security prison to another and renews its call for his immediate return to a maximum-security facility.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed. The member.

**Mr Bartolucci:** I move that the Legislative Assembly of Ontario denounces Corrections Canada's decision to transfer Clinton Suzack from one medium-security prison to another and renews its call for his immediate return to a maximum-security facility.

**The Speaker:** The Legislative Assembly of Ontario denounces Corrections Canada's decision to release Clinton Suzack from one medium-security prison to another and renews its call for immediate return to a maximum-security facility.

Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### FIREFIGHTERS

**Hon Michael D. Harris (Premier):** It is a privilege for me to rise in the House today to pay tribute to Ontario's firefighters and to acknowledge the tremendous contribution that the brave men and women of Ontario's fire services make every day to public safety in our province.

It takes a special kind of courage to respond to an alarm bell and go into a burning building, knowing that you are risking your life. Yet every day our firefighting professionals, knowing the risks, understanding the danger of their work, put the safety of others first. There is no greater bravery than the bravery these men and women show every day as they work to keep the people of Ontario safe.

1400

Recently we remembered those who died while on duty with the first Firefighters' Memorial Day service at the Ontario Fire College in Gravenhurst, people like Captain Pat Carey of the Toronto Fire Service and Captain Dennis Redman of the St Thomas Fire Service, who made the greatest sacrifice in the line of duty.

I'm proud to announce that their names will be added to the new wall of honour, which will be part of the new addition to the Ontario Fire College. The names of all firefighters who have fallen in the line of duty will be inscribed on this wall of honour.

My government is proud to be creating this wall to keep the names of these brave individuals alive forever and to ensure that their sacrifices will not be forgotten.

Just two weeks ago, the Lieutenant Governor presented this year's fire and police bravery awards. Six courageous firefighters from across Ontario were honoured for their extraordinary sacrifice and service.

Ontario, as well, is one of the safest places in the world when it comes to fire, and that's because of the bravery and the dedication and the skill of our firefighters. They are so good at their jobs that it's easy to forget just how vital they are to safeguarding our communities, but we must never take them for granted.

The shocking events of September 11 were indeed a powerful reminder of the risks firefighters on both sides of the border face every day.

Our firefighters cannot do their job alone. They need and they deserve our respect, our thanks and our help. That's why, for example, we're investing \$2.5 million each year to train firefighters and other emergency workers in performing urban search and rescue, responding to chemical, biological and nuclear emergencies and dealing with hazardous materials. These are just a few of the serious risks for which our firefighters must be prepared.

We are also spending \$3 million to upgrade the Ontario Fire College in Gravenhurst to develop an emergency management training facility.

After the events of September 11, we are more aware than ever of the dangers our firefighters must face and the sacrifices that they and their families must make.

These are challenging times, but despite the challenges, the difficulties and the problems we may face, we know that we can rely on our firefighters.

So today, on behalf of the people of Ontario, we pause to say thank you. Thank you for your professionalism, for your dedication, for your bravery. We depend on you. We want you to know that you can depend on us.

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Speaker: I would like to ask for unanimous consent for this House to agree to the singing or playing of our national anthem, O Canada, in this House at least once a week before the daily proceedings.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

Responses? The Leader of the Opposition.

**Mr Dalton McGuinty (Leader of the Opposition):** On behalf of the members of the Ontario Liberal caucus, I want to offer my words of support and praise for the men and women of Ontario's fire services.

Let me say to the representatives of the Ontario Professional Fire Fighters Association present in the gallery today, and to all those watching these proceedings on TV, thank you for your courage, your sacrifice, your dedication and your commitment to our communities.

The terrorist attacks on September 11 have provided us with a shocking reminder of the great sacrifices made by people who serve our communities. Few make as great a contribution to our communities as do our firefighters. I know all Ontarians have been shaken by the terrorist attacks. We're all saddened by the immense loss of life. But since the attacks, I've been particularly saddened by the terrible losses suffered by the New York City fire department. We now know that some 343 members of the New York City fire department died on that day, and our hearts go out to the friends and families of those fallen heroes. I can tell you that I was heartened

and proud to meet Ontario firefighters working at ground zero in New York City. These people were there working in a volunteer capacity, giving expression to our collective desire to simply help a neighbour in a time of need.

The heroes in New York remind us that there are heroes in our own communities. Every Ontario community has dedicated firefighters who risk their lives and give back to their communities. Ontario Liberals know that our firefighters put themselves at risk, put themselves in harm's way and spend considerable time away from their families. Firefighters make these sacrifices so Ontario families can be safe. In turn, we on this side of the House believe we should be doing everything possible to ensure that our firefighters themselves are safe.

That's why we've demanded that the government adopt our plan to invest \$100 million in an Ontario security fund. The fund I am proposing would make \$50 million available to municipalities for hiring additional firefighters and police officers and, more specifically, to ensure that all firefighters are adequately equipped and protected in any situation.

The government has, to its credit, put aside \$2.5 million in funding, including a new training facility. But sadly, that simply does not address the magnitude of the challenges we are facing. The government hasn't provided one cent to help municipalities hire additional firefighters. That's not good enough for me and that's not good enough for our working families, not when firefighters are responding to calls without adequate staff and equipment. So again today, I call upon the government to implement our Ontario security plan, a plan that wouldn't add one dollar to the provincial budget. Our firefighters deserve nothing less.

Working families know that firefighters are constantly at risk of contracting a communicable disease when providing emergency medical treatment. We believe that firefighters should be able to find out if they have come into contact with someone carrying such a disease. That is why we support Bill 105. My caucus and I have fought alongside the Ontario Professional Fire Fighters Association against the government's Bill 84, the Fire Protection and Prevention Act, and we will continue to fight any other move that puts firefighters at risk by allowing communities to send inadequate numbers of ill-equipped firefighters into dangerous situations.

We have felt for a long time now that the government should create a memorial to honour those firefighters who have fallen in the line of duty. We appreciate that the government has followed our lead and will be creating this memorial. Ontario's firefighters make great contributions to our communities. Our firefighters not only keep us safe, but they assist us as volunteers and through charity drives. Ontario's working families depend on our firefighters and our firefighters should be able to depend on us as legislators.

With a great deal of pride I say that we will continue to work with and for our firefighters and we will continue to propose policies that ensure their safety and the continuing safety of Ontario's working families.

1410

**Mr Howard Hampton (Kenora-Rainy River):** This is an important day, and the events of September 11 have, I think, made it all the more important. It is the day when we should remind ourselves and we should remind people all across Ontario of the broad scale of work that firefighters do in our communities.

What happened on September 11 in New York City and in Washington was an expression, a very vivid expression for everyone, that people could understand—a disaster, fire, explosions—and while almost everyone was trying to leave the buildings in question, while everyone was trying to get out, firefighters were going in. I think that visually sent a message to everyone of the incredible level of sacrifice, of dedication and of courage that it takes when your duty says, “You must go in when everyone else is trying to escape.” We need to acknowledge that dedication, that sacrifice and that courage.

We also need to recognize all of the other work that firefighters do. In some senses, the word “firefighter” is a very narrow description of the work that we expect from our fire services. When you’re on a lonely stretch of the Trans-Canada Highway and there is a very serious accident, the first or second people called to the scene will be the fire service because in most cases it is the fire service that has the expertise, the knowledge, the experience and the equipment to extract people who are very seriously injured, perhaps critically injured, from a car, a van, a truck or whatever other kind of motor vehicle. It is work once again that on a busy highway can be dangerous but it is work that requires a very special kind of expertise and experience.

A few years ago I had the opportunity to spend a day riding with a paramedic crew in an ambulance, and as we responded to emergency directives, in almost every case what I discovered was that the first people at the scene, whether it was a household or whether it was a downtown business, were firefighters. The people who were there, who offered the first response, who provided in essence the first emergency medical service, were firefighters. I don’t think many people in the public understand that, that in a majority of our communities where someone calls for an ambulance in fact it is often the fire service which arrives first and may administer the oxygen or may do the first examination in terms of whatever the particular affliction may be. It is obviously very important work.

On an occasion like this we also need to acknowledge that if we’re going to continue to have these very good public services, we need to be willing to fund them. And I use the word “public” service, because if we each contribute a little, we individually and collectively derive a huge benefit from this service. But we must have a willingness to fund and to provide the financial resources if these public services are going to continue to be of very high quality. I regret to say that in Ontario today that is not the case. There are too many fire services across the province that are struggling.

We also need to recognize the legitimate workplace issues, that fire services and people who work in fire services deserve a properly administered pension fund and a pension fund which is at least partially under their control. I recognize the courage, the dedication, the sacrifice. We must similarly recognize our responsibilities here.

## ORDER OF BUSINESS

**Mr Garfield Dunlop (Simcoe North):** On a point of order, Mr Speaker: I just wanted to ask for unanimous consent and I’d also like to thank all the members of the House that have helped me draft this motion. The unanimous consent asks that this Legislature directs Bill 105, An Act to amend the Health Protection and Promotion Act, 2001, to—

**The Speaker (Hon Gary Carr):** Sorry to interrupt the member. If we could, could we just ask for unanimous consent to move that? Agreed? Agreed. Yes, now you can proceed.

**Mr Dunlop:** The motion that I’m asking for unanimous consent on reads: that this Legislature direct that Bill 105, An Act to amend the Health Protection and Promotion Act, 2001, to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons, be considered by the standing committee on justice and social policy on Tuesday, December 4, for one day, at the end of which the Chair shall put every question necessary to dispose of clause-by-clause consideration of the bill; and that it then be reported back to this House and ordered for third reading; and that when third reading of Bill 105 is next called, the question be put immediately without debate or amendment.

**The Speaker:** We’ll see if our high-tech system works here. Mr Dunlop has moved that—

**Mr Dwight Duncan (Windsor-St Clair):** Dispense.

**Interjection:** It’s working.

**The Speaker:** It’s working very well, thank you. It was going to be very tough to read.

Is it the pleasure of the House that the motion carry? Carried.

## ORAL QUESTIONS

### HEALTH CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Premier. Premier, yesterday you went too far. You threatened Ontario’s seniors. You said that if you didn’t get your way—you stamped your foot and you threw a tantrum—you were going to take home care and drug coverage away from Ontario’s seniors.

You’ve now had the time, you’ve had the benefit of a cooling-off period. Surely you now understand that if you actually follow through on that threat, thousands of seniors would be forced into poverty. Surely you now

understand that cutting off home care and drug coverage would mean sentencing thousands without the ability to pay to prolonged sickness and worse.

Premier, will you now do the right thing? Apologize, and reassure Ontario's parents and grandparents that under no circumstances whatsoever will the health care services they need be on the chopping block.

**Hon Michael D. Harris (Premier):** Let me indicate very clearly what I said yesterday and already confirmed today when I talked to the media: under no circumstances under a Harris government, under six years of massive underfunding from the federal government, would I allow cuts. In fact, I provided for massive increases to home care and to senior citizens and drug programs. I indicated very clearly that as long as I am Premier of the province of Ontario, I will continue to fund Ontario's share that I have continued for six years. For six years I have made up the shortfall from the federal government. I will confirm to you and I make no apology for going to Ottawa and fighting for the disgraceful show from the Liberal government in Ottawa in the underfunding of health care.

1420

**Mr McGuinty:** Premier, why not inject some modicum, some semblance of honesty into this debate? This is not about money. If you scrapped your \$2.2-billion corporate tax cut, you could double our drug care plan. If you scrapped the \$2.2-billion corporate tax cut, you could triple our investment in home care.

This isn't about money. Why not be honest? You're on the way out. You've got nothing to lose. Come out of the closet and tell the people of Ontario you are against medicare. That's what this is all about. You are in favour of two-tier health care. You're in favour of user fees. Premier, why not be honest with the Ontario public? This is not about money. It's about your right-wing ideology.

**Hon Mr Harris:** My record on health care is a matter of public record. During my term in office, we have increased health care—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Premier, take his seat. Order, please. Sorry, Premier.

**Hon Mr Harris:** During my term as Premier of this government, for six successive budgets we have increased total spending by \$6.8 billion. Six billion of that \$6.8 billion has been for new health care funding: \$3 billion of that is our share and \$3 billion of that ought to have been the federal share, but since they slashed the funding, I made it up. That is the record. The record is clear: more money for home care, more money for seniors, more money for drugs—the Ontario share and the federal share.

What is disgraceful, in addition to the federal shortfall, is that the Ontario Liberal Party stands in its place and tells all the Premiers, "You should be un-tax-competitive. You should hike taxes. You should find money from elsewhere to make up the federal funding shortfall." That is a disgraceful position for any provincial politician of any party.

**The Speaker:** The Premier's time is up.

**Mr McGuinty:** Premier, I enjoy the bluster. I really do. I made you an offer yesterday and I'll repeat that same offer today. I'll get on the airplane with you. We will fly to Ottawa. We will make our request together for more health care dollars on one condition: you commit here and now that you won't proceed with your \$2.2 billion in corporate tax cuts; you won't put half a billion dollars into private schools; you'll stop spending hundreds of millions of dollars on partisan political advertising. Prove to me and prove to Ontarians that you're prepared to put health care first and corporate tax cuts second. Let's get on the plane. Let's go to Ottawa. Let's ask for more money. Let's put tax cuts aside.

**Hon Mr Harris:** I want to say that nothing cuts me to the quick more than to have these questions raised today, to be able to talk about the lack of Liberal commitment to health care, in Ottawa and here in the province of Ontario.

Last night in debate in this Legislature, the Liberal position was quite clear: not one more cent is required from Ottawa. We don't need any more money from Ottawa. That was the Liberal position as articulated last night. Do you think I'm going to waste gas to take you to Ottawa to tell them, "Don't give the provinces any more money"? You are a disgrace to your party. You are a disgrace to health care. You are a disgrace to provincial politicians everywhere in this country.

*Interjections.*

**The Speaker:** Order. We'll just wait. I guess we won't have a question period and I'll just stand here. The only person who's happy with that is my mother who gets to see me on TV. If you don't want any questions, that's fine. We'll just stand here and wait. Obviously both sides are rather feisty today. I'm not going to carry on. The pages and I are not going to keep getting up back and forth for both sides. We'll just continue to wait till it's silent, and if that takes 53 minutes, then there will be no more questions today. It's as simple as that.

*Interjections.*

**The Speaker:** Order. I say this to the government side as well. If you start doing that and start yelling across when I'm trying to maintain order, you will also be thrown out, the member for Ottawa West-Nepean.

I believe it is now a new question, the leader of the official opposition.

**Mr McGuinty:** I've been so cut to the quick, I barely know where to begin now.

Premier, again I ask you, why not inject some honesty into this debate? You won't fix medicare because you don't believe in it. Deep down, you believe in extra-billing. Deep down, you believe in user fees. Your record speaks to that already. You believe in a premium system for the well-off and a second-rate system for the rest of us. If you want an honest debate about the future of medicare in our province and in our country, I think you owe it to Ontarians to plainly stake your ground. The fact is, as we have observed on this side of the House for quite some time now, that you don't champion medicare

because you don't believe in medicare. You believe in user fees. You believe in two-tier health care.

Why not, today, be honest? You've got one foot in the private sector. Don't drag the health care system there with you. Be honest. Tell us you stand against medicare and you're for two-tier health care.

**Hon Mr Harris:** My actions speak for themselves. I refer you to the budget of 1996. I refer you to the budget of 1997. I refer you to the budget of 1998. I refer you to the Ontario budget of 1999. I refer you to the Ontario budget of 2000, and I refer you to the budget of 2001. When you see those budgets, when you see the massive increases in health care, when you see 100% total support for the Canada Health Act, you will see that, of the federal government in Ottawa and of the provincial government here, one government, one leader, has stood up for the Canada Health Act, stood up for seniors, stood up for medicare, and that has been this government on this side of the House, as evidenced in six successive budgets tabled in this Legislature and passed.

**Mr McGuinty:** Premier, you can play with the numbers to your heart's content. I want to refer you to Ontario's families and the problems they've been encountering under Mike Harris's Ontario when it comes to accessing health care. We have the fewest nurses per capita now in the country; that's a number I want you to keep in mind. We have the second fewest hospital beds per capita in the country; that's a number I want you to keep in mind. Keep this in mind as well, Premier: when it comes to your record on home care, you are so unhappy with the honesty coming forth from our CCACs and the volunteers who work in our communities on behalf of our parents and grandparents that you want to fire every last one of them. That's something you should keep in mind.

Premier, this is not about money; it's about your ideology. Why not come clean? Why not be honest with the people of Ontario? Why not stake out your ground honestly, in a forthright manner, and tell them about you and your government and your would-be successors? You don't stand for medicare; you stand for two-tier health care.

**Hon Mr Harris:** As I indicated in Ottawa and as I think would be confirmed by every Premier of every political stripe across the country, and I believe by every leader of every opposition party save and except the Ontario Liberal Party, there is one threat to universal medicare as we know it. That threat is Jean Chrétien; that threat is Paul Martin; that threat is Allan Rock. That threat is the federal Liberal Party in Ottawa.

Since you don't want to accept the actual audited statements that are in the Legislature and you don't want to accept the budget, let me quote from Allan Rock. "I am part of the problem, not the solution. It was my government that diminished the size of transfer payments. I will not stand here and tell you that the cuts in transfer payments were insignificant. They were not. And I won't tell you that they have not had an impact. They have." Allan Rock, acknowledging the significant impact of the massive cuts from the federal Liberal government.

Check the record: who is the defender of medicare, who cares about our seniors, who cares about the drug plan, who cares about home care—

**The Speaker:** The Premier's time is up. Final supplementary.

**Mr McGuinty:** Speaker, I could not agree with you more: this Premier's time is up. He cannot leave too soon for the people of Ontario and for the future of medicare in Ontario.

We've seen this movie before. It's all about fundamentally creating a crisis. It's a matter of taking any excess revenues that we have, plowing them into tax cuts, and leaving us short when it comes to meeting our health care responsibilities. That's what this is all about. This is about a Premier who has used this ploy in the past. He wants to create a crisis. He wants to tell Ontarians there's no way to fix medicare. The only thing that's lacking in this government is the kind of leadership that will champion medicare. That's what we need. I have no further question for this Premier. His time is up.

**Hon Mr Harris:** The leader of the Liberal Party, which has been a non-advocate for health care funding, has asked me to resign. As you know, I have indicated I intend to do that. In so doing, unfortunately for the people of Ontario, I will be the only leader, certainly in Ontario, nationally or provincially who has stood up for and put his money where his mouth is on medicare year after year for six budgets.

I hear the bluff and the bluster of the member opposite, and yet on March 6, 2000, the Leader of the Opposition—perhaps heading to third party status, I'm not sure—said, "I was personally disappointed with the budget because it did not assign the priority to health care that ordinary Ontarians are telling me they assign to it. The silence from the federal government on medicare has been deafening." This is exactly what we've been saying. That's what you said in 2000. Is that your position or was it your critic's position in 1997? Gerard Kennedy said that there is enough money, that we don't need more money. He said, "We want to make sure that we take some of the non-essential stuff out of the health care system." What is it that your party wants—

**The Speaker:** Order.

1430

#### LEADERSHIP CAMPAIGN FUNDING DISCLOSURE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. I'm asking the Premier to open the financial books on the campaign to replace him. Four cabinet ministers and a former finance minister want your job, Premier. That means five secret lists of contributors are funnelling cash into their campaigns. Who are these mysterious financial backers? Who is pouring money into the health minister's pocket? Private health care corporations? Pharmaceutical companies? Who is bankrolling Ernie Eves? Private companies who want to buy up our electricity system? We don't know.

But we know there is a serious potential for conflict of interest. So I'm asking the Premier, will you immediately require each leadership candidate to disclose the name and amount of each financial contributor to their campaigns?

**Hon Michael D. Harris (Premier):** I appreciate being informed that five people are campaigning for my job. That's valuable information for me to have. I would also suggest to you, given the actions of the two opposition leaders, they are the only five I know of who are seriously campaigning for the job, particularly given the disgraceful performance of the Liberal leader in not advocating for more health care money.

Let me say in response to the question, as the leader of the New Democratic Party will know because he went through this process, that I went through this process and others have been through this process, the Election Finances Act specifically covers full disclosure of all donations that are made. I think it's everything over \$100 that must be fully disclosed. I can assure you that every one of the candidates of the Ontario Progressive Conservative Party will comply with the legislation and fully disclose those contributions. I can't guarantee that you won't be shocked at the number of union supporters that will be there, but I can tell you it will be disclosed.

**Mr Hampton:** The disclosure you talk about will happen six, seven or eight months after the event. What is happening now is that whoever wins this leadership race immediately becomes the Premier of Ontario and gets to decide, should more of the health care system be privatized, should the electricity system be sold off and should our water systems be sold off? I think the people of Ontario need to know now who the people are who are going to financially back the person who may become the next Premier of Ontario and make these decisions.

You must know that the federal elections watchdog yesterday recommended that exactly this kind of thing happen in federal leaderships, that all of the contributions be disclosed right away.

Premier, I can't understand why you wouldn't want to do this, unless you have something to hide. Why won't you require each candidate to disclose now where they're getting their contributions from and how much?

**Hon Mr Harris:** As I indicated, we do have legislation that requires full disclosure. I would doubt that any of the candidates today knows where a financial backer would come from. If they're worrying about that, they're not going to win. My experience in this is to leave the finances to somebody else and get out there and get campaigning.

I would suggest to you that there will be full disclosure. I find it passing strange, though, that after having been through the process and the amount of time you have been in the Legislature, you have not brought forward a single amendment to change the legislation. Even today, at the 11th hour, I have not seen any proposed amendment from you that should be there. To suggest that we should make amendments to an act partway through a race I think even you would agree would be

retroactive and silly. But if you were serious about it, I think you would have done that long ago.

**Mr Hampton:** Premier, you're the one who says that you believe in financial accountability to the taxpayer, and transparency, and that's what this is about. That's exactly what this is about.

What you're proposing is that disclosure as to which corporations contribute to which candidate will happen eight months after the fact, after someone becomes Premier and can say, "We are going to privatize the water system now. We are going to sell off the electricity system. We are going to privatize more of the health care system." That kind of accountability that happens after the fact is completely inadequate. That's why you need to do something now.

You need to do something else in addition. You need to pass guidelines now—and you've got the authority to do this—to ensure that government cars, government airplanes, government polls and government access to advertising are not used by the leadership candidates.

Are you or are you not interested in accountability to the taxpayer, transparency and ensuring that people can avoid a conflict of interest? What's your answer, Premier?

**Hon Mr Harris:** I say to the honourable member that I find it passing strange that you had no interest in amending this act up until the leadership had already been called and is underway, which demonstrates a rather strange commitment, in fact no commitment at all, to be serious about it.

There will be full disclosure. Of course, every candidate will know they will be subject to the penalties of the law, should they be involved in anything that is untoward or that uses their office wrongly, and there may be substantial penalties, criminal charges as well. I think all the candidates are well aware of that and I am sure they will be conducting themselves accordingly.

With regard to government vehicles such as the vehicle that you have, I'm sure you make sure that vehicle is not used to attend NDP functions or partisan functions. I'm sure that is the case. I'm sure that when your members travel on committees, they're doing committee work; they are not doing partisan NDP work in any of the towns they visit.

Nonetheless, I have insisted that the rules be followed. No aircraft and no vehicles are to be used for political—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the Premier's time is over.

1440

## CURRICULUM

**Mr Howard Hampton (Kenora-Rainy River):** I just remind the Premier that you yourself exceeded the spending limits in your own leadership race.

I have a question to the Minister of Education. Citizens of Ontario are alarmed at reports that grade 9 students are failing or are dropping out at levels unknown in

the past, and people are demanding some action from your government.

I will give you a proposal today for immediate action: create school teams for success in every school across Ontario where grade 9 students are struggling. The teams would be made up of teachers with the most expertise in remedial techniques within each school to work intensively with those students who are at risk. Will you take immediate action, creating school teams for success, or are you going to continue to allow grade 9 students to struggle with a curriculum that has been implemented too quickly without the necessary resources to back it up?

**Hon Janet Ecker (Minister of Education, Government House Leader):** Through you to the honourable member, Mr Speaker, I certainly appreciate his concern for the students in high school who were not getting what they needed from the old curriculum. It's unfortunate that your government didn't adopt recommendations that were forwarded at the time to improve that. We acknowledged that there was a need, that our students were not getting what they needed when they left high school. Colleges, universities, parents, employers were saying they were clearly not getting that, so we have set higher standards through a new, more rigorous curriculum. It is asking more of our students, our teachers and our parents.

We have already acted and put in place considerable strategies to help those students who are in the transition years, who have not had the benefit of the new curriculum in the elementary years, so that we can assist them by the time they get through high school to make sure that they have all of the skills and the knowledge they need to succeed. Parents said we needed to do that. We were prepared to admit there was a problem in the system. Unlike previous governments, we've taken a series of steps to help all of our kids meet higher standards in our schools so they can succeed.

**Mr Hampton:** Minister, you have been in the government for six years. For six years you have been in charge in education, and six years later we now see that grade 9 students are failing and are dropping out of schools at an unprecedented rate. The question is, what are you as a government going to do about it, other than try to blame someone else? Minister, these are young people who have their lives ahead of them, and what we've seen from you so far is that, notwithstanding that you implemented the curriculum too quickly without the necessary resources, you don't seem to be concerned about what's happening.

I've given you an idea, an idea you can act on immediately. Are you prepared to do something to address this problem or are more young people going to fail at the grade 9 level and perhaps the grade 10 level, and are we going to face more dropouts? Are you going to do something, or are you simply going to allow the situation to get worse?

**Hon Mrs Ecker:** You weren't very concerned about the fact that our high school students could not compete, could not succeed, were not able to go out there with the basic literacy skills when you were in government. This

side of the House, this party, recognized that, and we are indeed taking action to assist all of the students in grade 9, grade 10, grade 11 and grade 12. The curriculum in high school was phased in on a year-by-year basis; it was not brought in too fast. Second, we've made deals for extra remediation, extra money for extra remediation for students, summer institutes for teachers and students, courses and training for teachers and students to deal with the new curriculum.

I know the NDP thinks, "Let's lower the standards; that's how we can solve this problem." That's how we got into this problem, and the goal of this government, the goal of the parents out there in the system, is to have higher standards and help all of our students to meet those standards. The steps we are taking are indeed doing that, and that is the commitment we will continue to meet.

**The Speaker (Hon Gary Carr):** New question.

**Mr Dalton McGuinty (Leader of the Opposition):** I want to go to the same minister on the same subject. Madam Minister, let's take a look at the record of your government when it comes to bringing about successful education reform and better results for our children.

It turns out now that after six and a half years on the job, one half of our children are failing to meet the basic standards in reading, writing and mathematics—that's your record—and 40% of our grade 10 students are failing to meet the basic literacy standard that your government has established. Today we learn that almost one quarter of our grade 9 students failed to earn the required eight credits—this is the basic curriculum—because they failed or dropped classes.

Madam Minister, that is your record, that is the record of your government. Why do you continue to fail Ontario's children?

**Hon Mrs Ecker:** First of all, I think it's fair to put on the record that this is preliminary data. We are tracking a group of students so we can track and have accurate information to assist students.

The party on the other side of the House, when they were in government, didn't think there was a problem. They didn't change the curriculum. They didn't set higher standards. We have. Parents, employers and students themselves want higher standards. We're putting in place the supports to help those students meet those standards.

There's no question that for those students who have not had the benefit of the curriculum throughout their elementary school years, it is a challenge for them to meet that curriculum in high school. That's why we've increased time for teachers with the remediation. That's why we've increased monies specifically targeted for remediation. This data confirms what we've been saying: that our students were not able to deal with the challenges they need to deal with. That's why we've made the changes, to help those students succeed. When they leave high school at the end of their high school career—

**The Speaker:** Order. The minister's time is up.

**Mr McGuinty:** Minister, the record speaks for itself. Painful as it may be for you to stare into this mirror, it is

all about you. You're failing our children. Some 24% of our grade 9 students failed the curriculum. That's close to 30,000 students, Madam Minister. Our kids are bright and capable. The problem does not lie with Ontario's youth. It lies with your inability to support their teachers, to make sure they've got the necessary materials in the classroom. That's what this is all about.

Madam Minister, pay a little bit of attention to what Ontario parents are saying today. Do you know how much money they're spending on private tutorials now? Do you know how disappointed they are that one quarter of Ontario kids have got to spend time in summer school? Do you know what that does to a family's summer plans? This has nothing to do with the standards that you put forward in your curriculum. It has everything to do with your failure to put in place the necessary supports to help our kids succeed. Why don't you just admit that?

**Hon Mrs Ecker:** The honourable member would have us believe that we can bring in a new curriculum that is more rigorous, that is setting more standards, and somehow or other that's not going to ask more from our students, our parents and our teachers. Yes, that curriculum does. Teachers, parents and students are being asked to work harder at that new curriculum. It's asking our students to learn more in earlier grades, because that is what they need to know when they leave school.

Your government didn't think there was a problem. We recognized there was a problem. That's why we are putting in the supports for students to better deal with the new curriculum, for teachers so they can better teach the new curriculum. The honourable member was against our requirements for professional development for teachers. One of the requirements has to do with curriculum. He's against summer school for students. Summer school has been a great support for those students who need extra help. We have school-to-work transition programs to help students transfer into work, if that's going to be their destination. On this side of the House, we're prepared to recognize there was a problem. We're prepared to take steps, and that's indeed what we're doing.

#### BAY OF QUINTE WALLEYE FISHERY

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Natural Resources, and it is in regard to the Bay of Quinte fishery. There has been mention by the media of a possible closure on January 1, 2002. This has been further enflamed by the unnecessary rhetoric of opposition members—

*Interjection.*

**The Speaker (Hon Gary Carr):** Minister of Education, your own member is asking a question. I would appreciate if you would listen. You've answered the question. It's now the member for Northumberland's time.

Sorry, member for Northumberland.

**Mr Galt:** As I was saying, this has been further enflamed by the unnecessary rhetoric of opposition mem-

bers in my area. They've created a terrible concern among those constituents in my riding.

Minister, I want you to stand in your place today and either confirm or deny that the Ministry of Natural Resources will impose a moratorium on the walleye fishing on January 1, 2002, in the Bay of Quinte.

**Hon John Snobelen (Minister of Natural Resources):** I want to thank the member from Northumberland for the question, and go on record, Mr Speaker, as saying that if your mother would prefer you to stand in front of this place for a full 60 minutes of question period, I could in fact support that.

The member has raised a very important question. The member brought this to my attention many, many months ago and in fact has been a very important source of local knowledge about this issue. I can respond today by saying that I think he and the members of his community will be happy to know that the Ministry of Natural Resources will not impose a walleye moratorium on the Bay of Quinte for January 1, 2002. We are in a public consultation process and no decisions regarding that fishery have been made.

1450

**Mr Galt:** Thank you, Minister. I am encouraged by the fact that the Ministry of Natural Resources is engaged in a public consultation process before—

*Interjections.*

**The Speaker:** Order. Sorry again. The member for Northumberland.

**Mr Galt:** I guess the opposition can't take good news very well.

I am encouraged by the fact that the Ministry of Natural Resources is engaged in a public consultation process before making decisions. With the cold weather fast approaching, some of my constituents are currently in the process of booking anglers for the upcoming ice-fishing season. They're concerned that the ice-fishing season is in jeopardy. Minister, can you tell this House what the public consultations will be like, and is this year's ice-fishing season indeed in jeopardy?

*Interjections.*

**Hon Mr Snobelen:** I thank the member from Northumberland. He will know by now that my responses to questions in this chamber are always met with a euphoric reaction by members of the opposition and I am pleased that continues.

With regard to the public consultations, the times, dates and formats are currently being worked out by the ministry. We will contact both interested stakeholder groups and all the MPPs who are concerned with this issue, and other leaders of the local communities.

With regard to the ice-fishing season, Mr Speaker—I know this will be of particular important to you—I understand that it's a very important season, both for tourism operators and for the local community, and I'm pleased to tell the member for Northumberland and the local tourist operators in his area to book the tours and get the huts ready—the ice-fishing season is on.

## IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier and it's a straightforward question on Ipperwash. You have said in the past that you gave no direction, you gave no influence, you left it entirely to the OPP. However, we have recently learned that on September 6, the day of the shooting, you held a key, high-level meeting involving 14 people, including the Attorney General, the Solicitor General, an OPP inspector and an OPP sergeant. At that meeting, according to the minutes we have, you said something quite different than "no direction." The note we have says that the Premier instructed the group that you wanted the occupiers out of the park within 24 hours.

The simple question is this, Premier, at the heart of the Ipperwash affair: did you instruct the group that you wanted the occupiers out of the park within 24 hours?

**Hon Michael D. Harris (Premier):** This is a matter of a court case in which I am being sued personally. I answered that question in discovery yesterday.

**Mr Phillips:** It is a civil case and I hope the Premier isn't saying that the government's position now is that whenever a civil case is launched, the government will not answer questions in the Legislature.

The public wants to know an answer to the question. You have said publicly that you gave no influence, that you gave no directions. The note we have suggests something different. It says the Premier instructed that he wanted the occupiers removed from the park within 24 hours. The public wants to know a simple answer to that question, Premier, because it's at the heart of the matter. Did you instruct that group that you wanted the occupiers removed from the park within 24 hours?

**Hon Mr Harris:** This is a matter of a court case and I'm responding to those questions as a sitting Premier with the right to refuse to attend when the Legislature is sitting. I volunteered to participate, to help the George family try to get the answers they require. They have opted for this process and I am fully complying.

## BORDER SECURITY

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Economic Development and Trade. The debate about how best to protect Canadians and Americans from the threat of terrorism has been ongoing since the attacks of September 11. Many experts, governments and businesses around the world have endorsed the idea of a North American security perimeter that would still allow the free movement of legitimate goods and citizens between Canada and the United States.

Unfortunately the federal Liberal government in Ottawa has been sending out mixed messages. Last week, Minister Tobin was quoted as saying: "What we are asking the United States to do is to catch up with us." Later in the week, Minister Cauchon said that solving border concerns would require a long-term solution that could take 10 to 15 years of discussion.

Minister, could you share with us your thoughts on these latest comments from Ottawa?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I thank the member for the question and his continuing interest in these issues.

I found the comments that came out of Ottawa last week passing strange and cause for concern. We have some ministers saying that the status quo is acceptable; we have another saying that change would take over a decade to accomplish. It's regrettably clear that the federal government has no plan with respect to the continental security issue. The government view in Ottawa seems to be that we can return to a September 10 world and that our closest friend and largest trading partner will, tragically, forget its concerns about the security of its northern border. Our government profoundly disagrees.

**Mr Maves:** I also find their comments to be perplexing and concerning. I'm really not surprised to find them to be weak showing leadership on this issue. They continue to sell out the people of Ontario as far as health care goes, and they certainly are not taking the lead in security issues since September 11.

Minister, can you indicate what our government is doing to encourage the federal government to seriously consider the North American security perimeter proposal?

**Hon Mr Runciman:** Our justice ministers are in Ottawa today urging the federal government to make the security perimeter issue their number one priority. I will be in Ottawa on Friday to meet with Industry Minister Tobin to discuss the border security and enforcement proposals that I released last week following our industry leaders' round table on border issues.

We believe the federal government should now be developing a security perimeter proposal to present to our American friends. We have to be proactive on this file. If not, we are playing a dangerous, high-risk game that could result in something being imposed upon us that could have detrimental impact on the long-term health of our country's economy.

CRIMINAL INJURIES  
COMPENSATION BOARD

**Mr Peter Kormos (Niagara Centre):** I have a question to the Premier. The Ontario Criminal Injuries Compensation Board is there; it's supposed to provide compensation for victims of violent crimes. Olga Baranovski is one of those victims. Her 15-year-old son Matt was brutally murdered two years ago. She sought compensation on an interim basis to help pay for the counselling and some of the medical attention that she requires related to the incredible psychological stress she has been under. The Criminal Injuries Compensation Board slammed the door in her face, didn't give her a penny, denied her even a cent of compensation.

Premier, would you explain to us how in your Ontario, Mrs Baranovski isn't entitled to compensation as a victim of crime?

**Hon Michael D. Harris (Premier):** No, I can't explain that to you, because the board, as you know, is an arm's-length board and I was not there. I was not at the hearing, nor did I make the decision. I can tell you that an applicant who has been denied an interim award may ask the chair to re-examine the interim application. I would expect that this would be good advice to give the applicant. I can do that, you can do it or we can both do it.

**Mr Kormos:** Premier, you, your Attorney General and your Solicitor General have on an almost weekly basis proclaimed your and your government's support for victims here in the province of Ontario. One of the problems that Ms Baranovski had is that the process with the Criminal Injuries Compensation Board is an incredibly bureaucratic one and she went there on her own. Joe Wamback, who is known to all of us, who lives in his own hell because of the serious and violent attack on his own son, came to her aid.

Premier, will you ensure that Ms Baranovski has access to the legal assistance that appears to be necessary for her or other victims of crime to access compensation through the Criminal Injuries Compensation Board? Will you guarantee that she will have representation that will allow her to effect the appeal that you just spoke of?

**Hon Mr Harris:** I would be pleased to look into whether that is something that is appropriate in dealing with a quasi-judicial body. As you know, I cannot guarantee success of outcomes. But you have expressed an interest in the case. You're a lawyer. You have more time than I. I might volunteer you, with my blessing, to go and represent Ms Baranovski. If you're not willing to do that, I may be able to get another lawyer to do so. If that's your suggestion, I'll see if it's appropriate and see what I can do.

1500

#### CHILDREN'S MENTAL HEALTH SERVICES

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Minister of Community and Social Services. You have been working with our community with respect to children's mental health issues for some time. You have travelled to our community and met with the folks at Maryvale. Your government provided an additional \$1.8 million of funding with respect to these questions.

In the gallery today I am joined by George and Joanne Johnson and Jack and Shirley Haines, who have headed up the local Kids Campaign.

Minister, in spite of these actions and in spite of your attention to the issue, the waiting list for children's mental health services in our community not only has not decreased, it in fact has gone up. I wonder if you would take an opportunity to explain to our community what

steps you plan to take to help deal with a list of 800 children who are waiting for children's mental health services in our community.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Providing supports to children in Ontario is an incredible priority. I recognize, as minister, the challenges they're facing in Windsor-Essex with respect to the provision of children's mental health services.

I have taken a significant personal interest in the file. I have met on a good number of occasions—I visited Maryvale, the children's mental health centre in his home community, not three or four weeks ago. I had the opportunity to sit down with officials at Maryvale to work with them on some potential solutions. They presented me with four particular options with which I could work with my colleague the Minister of Health, and I have certainly committed, before Christmas, to close the loop on that and to try to find a way we can help address some of the important challenges that are facing the Windsor-Essex community.

**Mr Duncan:** Minister, I am aware of your efforts to date, as is our community.

I'm going to present to you today 6,566 letters that have accumulated in our community in the last 30 days.

Minister, let me remind you, this waiting list, first of all, is an unduplicated waiting list. The Johnsons, the Haineses and others like them have confirmed that there are no duplications. These are 800 unique individuals with families. Not only are they on waiting lists, but that's a waiting list just for an assessment—an assessment for special schooling, for counselling services, for daycare, for respite care, for residential alternatives.

I'm aware of your efforts on behalf of Maryvale. I'm aware of the challenge. But some six years ago we had more than 100 beds of this nature in our community. Today there are 37.

Minister, can you please give us some assurance that you will again involve yourself to help deal with this crisis: 800 families waiting for an assessment, waiting 18 to 24 months? I don't believe that you think that's acceptable. We certainly don't. What can you say to our community and the 6,500 people who have sent letters here today to reassure them that we're going to deal with this crisis?

**Hon Mr Baird:** I can assure the member opposite that I'm going to continue to work in the coming days and weeks on this important challenge. We've made some good success, we've had some good progress, and at last we're dealing with some of the challenges facing not just Maryvale but the Hotel Dieu hospital. In working with the community, I certainly am impressed with the whole host of community agencies and leaders, whether it's the police chief, whether it's the CAW retirees' union, who have indicated their strong support.

I would also indicate that Gloria Mitchell, the executive director of Child's Place, said last year, "I would like to express my appreciation for your exceptional respon-

siveness to the dire need of adolescent crisis services in Windsor-Essex county. After many years of feeling that children's mental health is a second-class service, it is heartening to see that the mental health needs of our children are gaining attention." That's very much the kind of approach we're going to continue to take, and I look forward to resolving the issue.

#### ACCESS TO PROFESSIONS AND TRADES

**Ms Marilyn Mushinski (Scarborough Centre):** My question today is for the Minister of Training, Colleges and Universities. Last week in this House a member opposite made certain claims during members' statements that caused me great concern. The suggestion from the opposition benches was about the integration of foreign-trained professionals into Ontario's economy. The statement suggested that the government of Ontario has kept the doors closed when new Ontarians arrive looking for work in their chosen field.

Minister, as you know, immigration is of vital importance to Ontario's economy and particularly important to my riding of Scarborough Centre. I'd like to know what actions our government is taking to help new Ontarians find work in their field of expertise and study. Are we as a government simply studying this issue or are we taking positive steps in an effort to help resolve this serious situation?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** I appreciate the opportunity, not only to respond to my colleague from Scarborough Centre's question, but to remind the House of the actions the government is taking to solve this critical issue for Ontario's economy and to improve and value the quality of the working life of our immigrants.

Where past Liberals governments spent valuable resources studying the issue and the NDP set up some temporary projects, we have taken serious action on this issue. Having new Ontarians recognized for their skills is very important, but it's also very difficult for them. One of the projects we were very happy to launch just about a month ago is called a bridging program. It was actually in Scarborough at the Yee Hong seniors' centre. That's where the nurses themselves took the opportunity through their Care for Nurses program to help each other, and especially help immigrant nurses, to get the qualifications they need to be certified.

There is about \$12 million over three years to help foreign-trained individuals quickly employ their skills. This is just one of the projects we're so very proud of.

**Ms Mushinski:** Thank you for that, Minister. I appreciate the answer. It's particularly encouraging to see that Ontario is indeed taking concrete steps to ensure that new citizens can employ their skills as quickly as possible.

Minister, I agree with you and would suggest that this issue is much broader than simply integrating new Canadians into Ontario socially, but ensuring that we can

promote economic integration as well. I know you've worked hard over the past several years to secure a labour market development agreement with the federal government, and recognize that they are completely unwilling to enter into such an agreement. I also recognize how critically important such an agreement would be to help the Ontario economy, and the skills shortage specifically.

Minister, I don't believe that Ontario is alone in this process. The federal Liberal government has a responsibility for immigration, and I am curious to know exactly what they are doing to help ease that transition for new Ontarians.

**Hon Mrs Cunningham:** This labour market development agreement, which has been signed with every province and territory, including Nunavut, which wasn't even a territory when we started our negotiations with the federal government, is in a sense a shame, I think, for the lack of a good working relationship between the federal government and the province of Ontario in this regard.

The federal government made us an offer in May which we accepted and still they lag behind with no reason for not signing the agreement. Just to let the members opposite know, they could take the time to find out what this agreement is all about, but they don't do that. They just sit there like bumps on a log while immigrants are having difficulty getting jobs, people on employment insurance don't get timely results and, worst of all, this is a time when we need to work together as governments. We have a critical skills shortage. I do want that labour market development agreement signed and I will continue—

**The Speaker (Hon Gary Carr):** The minister's time is up.

1510

#### HOSPITAL RESTRUCTURING

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Minister of Health and Long-Term Care. It is my understanding that discussions have been held between your staff and officials of the Hamilton Health Sciences Centre regarding the redevelopment of the Henderson hospital. This needed redevelopment is necessary to meet the demands on the hospital that will arise from the significant expansion of the Hamilton Regional Cancer Centre. Hospital officials have publicly stated that in the initial discussions, ministry staff have proposed that such a project would be subject to a 50-50 sharing in the project cost between the province and the local community.

Why should this project not be subject to the same 70-30 sharing as is the case for the expansion of the Credit Valley Hospital in your own riding, or as is the case for the Grand River Hospital in the riding of the previous health minister? Both hospital projects are required because of the development of cancer centres, as is the case in Hamilton. Minister, would you consider the same 70-30 sharing for the Henderson hospital?

**Hon Tony Clement (Minister of Health and Long-Term Care):** As the honourable member may be aware, there are certain rules in place for the commission-directed recapitalization of our hospitals and our regional cancer centres, which are directed by the Health Services Restructuring Commission. They follow a certain set of rules. It is a richer set of rules because they are determined by population needs and by the restructuring orders that were directed—legal directions by the Ministry of Health—as a result of the HSRC directions. That is a set of rules for that particular function.

I would be happy to work with the community if there is a problem because they are outside the HSRC directions. There are lots of ways we can work together in partnership with the private sector and philanthropists as well as the public sector to make these things occur.

**Mrs Bountrogianni:** The Henderson hospital has not been updated since 1964. The restructuring commission was aware that upgrades were and are needed. Cuts to health care by this government have meant that hospitals have been operating for years without enough in their budgets for capital upgrades.

It should also be noted that the Honourable Brad Clark posed the same question recently when interviewed by the Hamilton Spectator:

“I have some questions that I will have to raise with the Minister of Health with regard to the Henderson.” ... He said a 70-30 split would be more appropriate for the Henderson.

“It was a government decision to maintain the Henderson hospital, so putting that additional burden on the community is a concern to me.”

That was the Honourable Brad Clark, Tuesday, November 6.

The fact that municipalities are forced to consider levies to support health care speaks volumes of the disastrous cumulative effects of provincial downloading on municipalities and taxpayers. When will this government make the tough decision to stop another \$2.2 billion in tax breaks for corporations and put health care first?

**Hon Mr Clement:** She actually ruined a perfectly good question by continuing the line about how the Liberals are against every single tax cut in the life of this Parliament, and in the life of the previous Parliament. That's their record. We know they're against tax cuts. They voted against every single one. They are against jobs and opportunity and new prosperity for Ontario. They keep underlining it. They keep bringing attention to it. If they want to spend their time doing that, that's fine. On this side of the House, we are for tax cuts. We are for, so far, \$6 billion worth of tax cuts, creating \$14 billion worth of taxable economic activity. That's our record.

Of that amount, I can tell you that the lion's share went into the provision of health care, which is not the case with their federal Liberal kissing cousins, where they have not been living up to the expectations of the people of Ontario and Canada. They have not been putting the money back into health care. They don't seem

to care that our health care system is under threat by their—

**The Speaker (Hon Gary Carr):** The minister's time is up.

## MINING PROGRAMS

**Mr Norm Miller (Parry Sound-Muskoka):** My question today is for the Minister of Northern Development and Mines. I know my constituents are concerned about our environment and the balance between our natural heritage and economic prosperity. They want to know what we've done to ensure that balance is maintained. They want to hear about the specific actions we've taken to ensure public safety and environmental and economic prosperity. As the Minister of Northern Development and Mines, what have you done in mining to ensure that economic and environmental prosperity are maintained?

**Hon Dan Newman (Minister of Northern Development and Mines):** I thank the member for Parry Sound-Muskoka for his excellent question. In 1999 our government announced our unprecedented commitment of \$27 million for the province's abandoned mine program. The Liberals, when they were in office, never had an abandoned mine program, and they clearly failed to recognize that eventually production cycles end. When the NDP were in government, they spent more in administration than they actually did on rehabilitation field work. We're spending more on the Kam Kotia site cleanup alone than they spent on the entire program. This commitment means that we can ensure these sites are secured from hazards and that these sites return to their natural beauty or productivity for the enjoyment of future generations.

We want prosperity for all Ontarians, if prosperity means we can enjoy the benefits of mining jobs and ensure that we rehabilitate crown lands for the benefit of generations to come.

**Mr Miller:** Thank you for that answer, Minister. I recently read an editorial in the Northern Daily News suggesting the government should assist residents at the Toburn mine site. The editorial suggests we should provide assistance in terms of finding alternate accommodation and alert the public to the hazards on-site. Minister, what have you done to ensure the public is protected and residents are not displaced?

**Hon Mr Newman:** It was as a result of the abandoned mines program that we became aware of the potential hazards at the abandoned Toburn mine site. This is a program that is the most extensive and the envy of the rest of Canada. In fact, my ministry staff have been working in co-operation with staff from the Ministry of Natural Resources to ensure the residents of the area are protected. Yesterday, we held a meeting with the public and the affected residents and assured them once again that we will work with them to find interim and long-term accommodations. As well, my ministry has spent over \$400,000 rehabilitating this single site to date, and

we will continue to ensure there are proper fences and protection from potential hazards on the site.

Our government should be very proud of our unprecedented \$27-million investment in restoring abandoned mines to productive use. I assure you that my ministry staff are working with the communities to address their concerns at the Toburn mine site.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Peter Kormos (Niagara Centre):** To the Premier: Henry Redekopp, Gary Ferrier and Erich Schulz went to work in August 2000, but they didn't come home, because, you see, they were killed in the workplace. Unlike most other workers in this province, these three workers didn't have any of the protection that would be accorded by occupational health and safety legislation. The reason why is because your government doesn't believe agricultural workers, farm workers, deserve protection under occupational health and safety legislation. As well, the coroner's jury has recommended that farm workers be among those workers in Ontario who receive the protection of occupational health and safety legislation. Will you explain why you think farm workers don't deserve that protection, or will you tell us today that you're going to respond to the coroner's jury recommendations and in fact table those responses before the House rises at Christmas?

**Hon Michael D. Harris (Premier):** I think the Minister of Labour can respond.

**Hon Chris Stockwell (Minister of Labour):** We take any inquiry, and results from any inquiry, very seriously. We'll be reviewing the recommendations with the idea of looking at them to implement the ones we consider appropriate.

Although they aren't covered specifically under that part of the act, they are covered by the FSA, the Farm Safety Association. Leaving the impression that they are not covered under some program is a false assumption; they are. It's a different approach. It's funded by the Workplace Safety and Insurance Board. In fact, they report to them and directly through the Ministry of Labour.

The rationale, obviously, is that farming is a very different approach. It has different needs and very specific problems within that industry that are very different from other workplaces. Yes, we will look at the recommendations and review them very carefully. But don't leave the impression they're not covered; they are covered under the FSA, and that body is effectively working very hard to ensure safe workplaces at agricultural workplaces in Ontario.

#### VISITORS

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** On a point of order, Mr Speaker: I'd like to welcome to this wonderful Legislative Assembly

Joanne McNamara, Janice Palmer and Jeff Fitzpatrick, who are constituents of my riding of London North Centre.

#### PETITIONS

##### HOME CARE

**Mr Richard Patten (Ottawa Centre):** I have a petition to the Legislative Assembly of Ontario:

"Whereas there have been major cutbacks in hospital services over the past few years; and

"Whereas although this government said that the effect of these cutbacks would be addressed by increased home care; and

"Whereas home care budgets have not been increased but have instead been frozen without the promised expansion of services; and

"Whereas frail and vulnerable seniors and their caregivers have been critically affected by the effects of this inadequate system,

"The Legislative Assembly is urged to immediately implement the required home care services to seniors."

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The full range of home care services must be available at a level that provides homemaking, personal assistance and care, rehabilitation, and preventive supports to seniors living in their own or their relatives' homes, in seniors' housing and in retirement facilities so that, as far as possible, seniors do not require either acute care or long-term services."

This has to be done immediately. I affix my signature to this petition as well.

1520

##### CRUELTY TO ANIMALS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty-to-animal provisions in the Criminal Code as soon as possible."

I'm pleased to affix my signature to this petition.

## PROFESSIONAL LEARNING

**Mr David Ramsay (Timiskaming-Cochrane):** I have a petition to the Legislative Assembly of Ontario.

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best-practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

I affix my signature to this.

## LONDON HEALTH SCIENCES CENTRE

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the ... Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario," such as Stratford, Kitchener, London, St Thomas and Woodstock, "are not put at risk."

This signature contains the names of over 1,000 individuals. I have affixed my signature hereto in full support.

## SAFE STREETS LEGISLATION

**Mr Bruce Crozier (Essex):** "To the Legislative Assembly of Ontario:

"Whereas charities such as the Muscular Dystrophy Association of Canada, Goodfellows, the Canadian Cystic Fibrosis Foundation, firefighters and many others participate in fundraisers on streets, sidewalks and parking lots;

"Whereas the Safe Streets Act, 1999, effectively bans these types of activities, putting police forces in the position of ignoring the law or hindering legitimate charities; and

"Whereas charitable organizations are dependent on these fundraisers to raise much-needed money and awareness;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We ask that the government of Ontario amend provincial legislation by passing Bill 26, the Charity Fundraising Activities Act, 2001, to allow charitable organizations to conduct fundraising campaigns on roadways, sidewalks and parking lots."

In support, I affix my signature.

## LONDON HEALTH SCIENCES CENTRE

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I have affixed my signature.

## EDUCATION FUNDING

**Mr James J. Bradley (St Catharines):** This petition is to the Legislative Assembly of Ontario:

"Whereas the Harris government's rigid education funding formula is forcing the potential closure of neighbourhood schools such as Consolidated, Dalewood, Lakebreeze, Maplewood and Victoria in the city of St Catharines, and has centralized control for education

spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that larger schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships;

"Whereas small neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature. I'm in agreement.

#### HOME CARE

**Mr John Gerretsen (Kingston and the Islands):** I have a petition signed by a number of residents from my community.

"We, the undersigned, petition the Legislative Assembly of Ontario and request a withdrawal of Bill 130, Community Care Access Corporations Act, 2001, introduced by the associate minister of health with responsibilities for long-term care, the Honourable Helen Johns;

"Bill 130 will eliminate community volunteer membership in local access centres, fire the CEOs, fire the volunteer officers and members of the boards of directors. The cabinet will appoint a CEO, the directors and the officers of the local access centres, who will be paid by the taxpayers if they are no longer volunteers;

"We urge the government to withdraw Bill 130, initiate public consultations with the stakeholders that are transparent and accessible and to review the issues of the current delivery of home care and options to improve the current system."

I hereby present the petition. I've signed it because I agree with it.

**Mr Michael A. Brown (Algoma-Manitoulin):** I have literally hundreds of signatures on this petition.

"To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres (CCACs) to purchase home care services for their clients are rising due to factors beyond their control; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care (MOHLTC) is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature, are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year."

I agree with these petitions and I'm happy to affix my signature.

1530

#### MUNICIPAL RESTRUCTURING

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have a petition here from concerned citizens of Victoria county.

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times,

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I also sign my signature.

## CRUELTY TO ANIMALS

**Mr Michael Bryant (St Paul's):** This is a petition to shut down puppy mills and to stop cruel animal breeding activities by passing MPP Mike Colle's private member's bill.

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities in this province and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the Society for the Prevention of Cruelty to Animals to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I happily add my signature to this petition.

**Mr Steve Peters (Elgin-Middlesex-London):** "Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

We're asking that individuals support Mike Colle's private member's bill. I'm in full agreement and have signed my signature hereto.

## ORDERS OF THE DAY

## TIME ALLOCATION

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government, when Bill 127 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered for third reading; and

That, notwithstanding standing order 28(h), no deferral of the second reading vote may be permitted; and

That, the order for third reading is called immediately; and

That, when the order for third reading is called, the remainder of the sessional day shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That, the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "deferred votes"; and

That, in the case of any division relating to the proceedings on the bill, the division bell shall be limited to five minutes.

**The Acting Speaker (Mr Bert Johnson):** Mr Baird moves government notice of motion 97. Debate.

**Hon Mr Baird:** On a point of order, Mr Speaker: I would like to ask for unanimous consent for the member for London West to be the first government speaker.

**The Acting Speaker:** Mr Baird has asked for unanimous consent that Mr Wood be the first leadoff speaker. Is there consent? It is agreed.

**Mr Bob Wood (London West):** I would like to thank the members for their indulgence in indulging my schedule. I will do my best to not disappoint the members in my speech. I do support the motion, because I think this is a good bill, and I'd like to explain why I think it's a good bill. The reason I think it's a good bill is that it is another step toward the implementation of sound fiscal policy for this province.

Sound fiscal policy, to me, is to cut taxes to create jobs, to balance the budget and to keep it balanced in accordance with our balanced budget legislation, and at the same time to meet the need for priority spending in those areas that truly need it, by which I mean health, education and public safety.

I would suggest that for such a strategy to be successful, it has to be long-term and it has to be consistent. As

we look at the historical record of the last 20 or so years, we can see what works and what doesn't.

In the first half of the 1980s, we had, in essence, spending restraint and a moderate deficit. That policy wasn't disastrous, but it was not perfect either.

In 1985, we switched to a policy of taxing and spending. The Liberals and the NDP entered into an accord in 1985 in order that the Liberals could take power, and they agreed upon certain aspects of a political program. Basically in fiscal terms what that program amounted to was a tax-and-spend policy. The Liberals raised the debt by one third in five years, and of course they raised taxes 60-plus times.

The NDP, from 1990 to 1995, in essence followed the same policy. They, however, were following that policy in bad economic times. They, in that time period, continued to increase taxes, the debt more than doubled over a five-year period, and of course the results were there for everyone to see at the end of that five-year period. The results were the worst economic performance of this province since the first half of the Great Depression of the 1930s. We actually had a net loss of 10,000 jobs over that five-year period.

In 1995, of course, we saw a different approach: we saw the approach of tax cuts and spending restraint and the results, which were economic growth and a balanced budget.

It does bear comment that it does make a big difference to the people of this province what the fiscal policy of our provincial government is. It's important to remember that the American recovery started in 1992. The United States started to do much better in 1992. We have to remember that, at the same time, we had extraordinarily weak economic performance throughout the 1990s until 1997. I would suggest to you that the reason for that was that the policies of our provincial government were holding back what our citizens were able to do.

1540

In the last four years, of course, our growth rate has exceeded that of the United States. We have been leading the United States in the last four years. I would suggest the reason for all of that, the reason we have seen such positive results for the people of this province—and we've seen that in human terms, of course. We have seen the 800,000-plus net new jobs, 800,000 lives given opportunity and hope and the ability to fulfill their dreams. We have seen the very positive result of some 600,000 people being able to leave the dependence of social assistance and achieve independence. I would suggest that those results relate directly to positive fiscal policy for our province.

Having offered an outline of why I think the overall policy is good, I would like to talk a bit about some of the specifics we have in the bill. One specific of course is that we are accelerating the tax cuts that we have proposed. Many indeed are opposed to that. The Liberal opposition is opposed to tax cuts generally. They have voted against virtually every tax cut we have proposed to

this House since we took office in 1995. Their policy seems to be still wedded—except at election time, when they're more favourable toward tax cuts—to their old tax-and-spend ways. Certainly from 1985 to 1990 they proved that they were indeed wedded to that policy.

I would suggest, however, that accelerating tax cuts at a time of economic slowdown is indeed good public policy, and that, of course, is why I support the acceleration of the tax cuts in this bill. Most members will be familiar with the details, so I'm not going to talk too much about the details of the accelerated tax cuts other than to say that this is part of sound fiscal policy. This is not anything more than pursuing an agenda of investment and jobs for the people of this province. Some would cast it in a different light, and I think they're quite wrong.

I would just say to our friends in the opposition, who have been quite critical of our economic policies for the last six and a half years, that you have to look at the results and look at the very positive benefits these policies have brought to so many people in this province. I would remind you that economic progress and economic good news are not automatic. They were doing well in the United States in the mid-1990s, when we weren't. There was a reason for that; the reason, I would suggest to the House, was that our economic policies weren't sound ones.

I'd also like to refer briefly to the repatriation of GO Transit. The matter of GO Transit ultimately has to be looked at as a regional problem rather than a problem of a particular municipality. I think what we're doing in the area of GO Transit is going to make a difference for the better for the people of the greater Toronto area and, in some respects, for the people of the province as a whole. The change is going to give them the opportunity to invest a further \$100 million in local and regional transit priorities. This is of course only part of a more overall strategy of more effective transit in the greater Toronto area and in the province generally, and I think it's very much a step forward.

I'd also like to touch very briefly on the further support that's being offered for small- and medium-sized businesses. We tend to forget how important those businesses are to our province as a whole. They create large numbers of jobs every year. The creations are in relatively small amounts individually, but they're very big amounts collectively. The fact that this budget bill helps them and recognizes them is a very important signal to send. It's also going to bring important dividends for the people of Ontario.

We are also accelerating the application of the small business income tax rate. We can talk about the details of that, and maybe I should briefly allude to them. Currently the rate is 6.5% and applies to the first \$240,000 of income. This bill proposes to accelerate a reduction from 6.5% to 6% and raise the eligibility threshold from \$240,000 to \$280,000, effective October 1, 2001.

This is of course going to give help to individual small businesses, but I think the more important part of this is that it's going to send a signal to small business that the

government of Ontario and the people of Ontario are behind what they do, and we're going to offer some material help. Good wishes in any circumstance are not enough. We also have to come forward with some tangible help that's going to make a material difference for the small business people of our province. I think this bill is an important step in that direction.

In this bill we also have simplifying tax filing procedures for small businesses. Currently, corporations are required to pay monthly corporate tax instalments if annual tax payable in the current or preceding year is \$2,000 or more. The proposal in this bill is going to simplify this. In the 2001 budget, we proposed to reduce red tape for Ontario's small businesses by allowing businesses with corporate tax payable of at least \$2,000 and less than \$10,000 to remit tax instalments quarterly instead of monthly. This change would apply to taxation years commencing in 2002.

This may seem like a relatively small thing, particularly to those who are not involved in small business. In actual fact, it's part of a much larger picture. I'd like to remind the House and remind the people of Ontario that while tax policy is very important in attracting investment and jobs, so is good regulatory policy. Good regulatory policy means reducing red tape and offering the most effective and efficient regulation possible. That, by the way, does not mean reducing the effectiveness of regulation. It actually means increasing the effectiveness of regulation.

The changes we are making are not going to in any way weaken the ability of the Ministry of Finance to collect taxes, but what they are going to do is introduce an efficiency for small business. To send a message that we're on the side of our investors and our business people, when it comes to the matter of red tape and good regulation, is a very important signal to send.

Red tape reduction is a bit like a diet. Once you get off the diet, you start to get back to your old problem. It's the same thing with red tape reduction and good regulation. As soon as you stop striving to improve the effectiveness of your regulation and the efficiency of the regulation, you're going to get into problems.

Other jurisdictions understand that very well. There are red-tape-type commissions throughout the world, all of whom are looking for ways to increase regulatory effectiveness and reduce red tape in their jurisdiction. If we're not able to say to investors who are considering Ontario as a place to invest that we're ahead of the curve, that we are there to make sure their concerns are heard and that they're going to have good regulation and responsiveness to problems, that's going to be a very negative signal to send to potential investors.

I would like to applaud that particular aspect as being part of an ongoing process which I think has paid great dividends. There have been billions of dollars invested in this province and 800,000-plus net new jobs created. One of the important reasons is that investors and business people understand that we are sensitive to the need for good regulation and red tape reduction.

The extension of the deadline for registering new community small business investment funds for another year, from December 31, 2001, to December 31, 2002, is of course another positive signal sent to small business.

Restoring support for research and development is also an important signal to send. One of Ontario's most important tax-based initiatives for research and development is the super allowance, which provides over \$100 million in benefits to research and development performing firms. The federal government, in its 2000 budget, stated that provincial deductions for research and development in excess of actual expenditures would be treated as taxable government assistance. We made our opposition to this measure clear. We do not believe in eroding support for research and development in Ontario. In order to maintain support for research and development and to respond to the 2000 federal budget, which raises the cost of research and development in this province, our 2001 budget proposed to suspend the R&D super allowance and allow corporations to exclude the federal R&D tax credit from Ontario taxable income. Ontario's proposed action would restore research and development tax benefits for most firms to their level before the federal budget.

All that sounds like a tax lawyer talking, and I'm not a tax lawyer. What that really means is that we are sensitive to the needs and concerns of innovative businesses in this province.

I said I would try and get to the point and offer something useful in this debate and I hope I have done that. On that note, I'd like to thank the members again for their indulgence and conclude my remarks on what I think is a good motion.

1550

**Mr Steve Peters (Elgin-Middlesex-London):** Here we go again with time allocation shutting down debate in this Legislature. We saw the criticism yesterday levelled at the federal government for their move for time allocation, but it's unprecedented in the history of this province the number of times this government has shut down good, legitimate debate in this Legislature and rammed legislation through. We see it over and over again. I think it's a really sad day.

Let's look at what's not in Bill 127. What wasn't in Bill 127 were the words "agriculture" and "farmer." This government has abandoned the agricultural community in this province. You're not standing up for the farmers of this province. Not once did we hear the word "agriculture" or "farmer" come out of the finance minister's mouth. I think that's a real shame.

The farmers of Ontario are waiting to hear the minister come forward and let them know what he's going to be doing in the area of safety nets. But what do we hear from the minister? We hear that he's been given the green light from cabinet to negotiate. We thought he had that green light last spring when he was working toward the development of his made-in-Ontario safety net solution. But no mention of dollars for the farmers of this

province was in this motion put in front of us. That's a real shame.

While we're talking about farmers, I would ask you on the other side, those of you who represent dairy farmers, to ask your dairy farmers what they think right now of Bill 87, the Food Safety and Quality Act and the repeal of the Edible Oils Act. Ask what that's going to do to the dairy farmers of this province. I hope the dairy farmers are calling on you and telling you what this repeal is going to do. That's a real shameful move by this government because you didn't have the guts to consult with the dairy farmers of Ontario. You went and consulted with the soybean growers but you didn't talk to the dairy farmers. So talk to your dairy farmers and find out what they think about that.

Another issue that needs to be addressed by the Minister of Agriculture is Imperial Tobacco and what they are up to right now. Imperial Tobacco is playing a very dangerous game with the tobacco farmers of this province. They've just put up their own Web site today and in that Web site Imperial Tobacco is talking about how they're going to respect and honour the tobacco marketing board. But do you know what they want to do? They want to direct-contract their purchase of tobacco from farmers. That secrecy that exists within the marketing board right now is going to disappear because Imperial Tobacco is not playing by the rules. I'm asking the Minister of Agriculture to stand up today in support of the tobacco farmers in this province and not abandon them.

Another issue that wasn't addressed was the London Health Sciences Centre. We've seen what's going on in London right now, where this government, this Ministry of Health, is forcing the London Health Sciences Centre to cut a wide variety of programs. Some of those programs need to be seriously reviewed, and this government stands back. The government members have been silent in allowing these cuts to take place, but these cuts are putting at risk the lives of families and children in southwestern Ontario.

It's extremely irresponsible what this government is allowing to take place in London. I would ask the London members, and actually all those members from southwestern Ontario, to stand up and get behind the London Health Sciences Centre and not allow these cuts to take place. It's like a house of cards. What we're seeing right now with the paediatric cardiology program being cancelled is like a house of cards: when you pull that one card out, the whole program starts to fall in. But this government is just allowing this to happen. It's a real shame to see this happen.

Today too we had the fire departments here, and we thanked them for the wonderful things they've done, but you can see how this government plays games with those who are looking after people's lives in this province. They stand up and they implement programs to hire new police officers and they offer to pay municipalities 50% of the costs. But do you know what's happening in municipalities all across this province, including my own

riding? The fire marshal of this province has stepped in and said that the St Thomas fire service is understaffed. The St Thomas fire service now has to hire 12 additional firefighters, and Woodstock and Stratford are going to end up having to do the same thing. Why doesn't the government come forward with a program very similar to what you did with the police services? Why don't you stand behind the fire services in this province, come forward and get behind what municipalities are going to have to do with fire services in this province?

It's really sad that we're seeing this debate shut down because it happens over and over again. We know what's going on. We know what the agenda is on the other side. They want to get out of here as quickly as they can. They want to skedaddle out of here because they don't want to address the real issues that Ontarians want to see addressed in this Legislature. They want to get out of here as quickly as they can, get behind their leadership candidates and get into that, but not address the serious issues that face Ontarians today. I think that's a real shame and, more importantly, it's a shame how you've let down the farmers of this province.

**Mr Tony Martin (Sault Ste Marie):** It's Wednesday afternoon so it must be a time allocation motion.

**Mr Gilles Bisson (Timmins-James Bay):** Oh, yes. How did you know that?

**Mr Martin:** When it's a time allocation motion, I know it's Wednesday afternoon because that's always been the pattern here on Wednesday afternoon for as long as I can remember. The member from Nickel Belt and I sit here—today it's the member from Timmins-James Bay—and we know that when we come here on Wednesday afternoon, we're going to be debating another time allocation motion. That's the way this government governs. There's no more respect for, interest in or commitment to process, dialogue, taking things out to the public and hearing what they have to say and making sure the things we pass in this place are in fact in the public interest. We know this government has an agenda and we know they're going to implement that agenda because they said so and they have, regardless of the effect it's going to have on the people we're all elected to serve.

So here we are again. It's Wednesday afternoon and we have another time allocation motion which basically says we'll spend today on the time allocation motion and we'll talk a bit about the bill and what it's going to or not going to do. It will then go from here to another session—an afternoon for a couple of hours, perhaps an evening for another couple hours if we're lucky and we'll run out the clock on that. Each of us, perhaps a couple of speakers, will have an opportunity for 10 or 20 minutes to put on the record what we feel about these very important pieces of public business. Then the debate will be virtually shut down and we'll move it to some usually very limited public hearings in this place while the House is sitting, with absolutely no possibility of travel. I'll talk in a second about the Ontarians With Disabilities Act, where in fact there is some travel. But it's so quick, so

limited and so inaccessible as to actually be funny if it wasn't so sad.

Then we bring it back to this place after the public consultation. It's very orchestrated, very well organized and very controlled by the government. We bring it back in here for third reading, which is a time when, after we've gone out to the public and we've had a chance to debate amendments, perhaps—although these days, unless the government brings forward the amendments, they're usually not entertained, accepted or shown any interest. But if there's an amendment or two brought forward in some instances by the public out there—when they take a look at these pieces of public business and assess how it might impact them and their community, they bring forward suggested changes so that we might adopt some amendments.

We come back here for third reading, and the full extent of that very important piece of the legislative process that we call third reading usually, by way of these bills, lasts, again, one sitting day, which on a day like today starts anywhere between 3:30 and 4 o'clock and goes till 6 o'clock. So we're talking two hours, maybe two hours and 15 minutes. You divide that up by three parties, who should have some significant things to say after having travelled the province, perhaps—although we don't do much of that these days—and after having heard from the public in some limited way, after having listened to what the government is going to do by way of change or amendment and response to that input, I'd say we have about 40 minutes per caucus. If you have three or four members who are interested in speaking to that subject and you break that down, you're talking—what?—about 15 minutes per person, if you're lucky, to do that. It doesn't give one much time to give input, to have some role in, to participate in the very important work we do under the aegis of developing public policy, of putting in place the rules and regulations that we all live by in this province as we attempt to do our work, live, socialize, recreate, get ourselves educated, perhaps access the health care system. It doesn't give us a whole lot of time to participate in that very important process.

1600

This government very early in its mandate changed the rules such that they in fact can do that. They could actually bring a bill in here on a Monday, time-allocate it by Tuesday or Wednesday and, the way they time-allocate, have that bill passed through this place by Thursday. So in a week—

**Hon Mr Baird:** No way. Impossible.

**Mr Martin:** You could. We've spoken about this at least half a dozen times in this place. You could do that, and this government has in fact done it.

I don't think that's in any of our best interests. I think it's a misuse of an institution that was established hundreds of years ago so that governments that come here in a hurry, in their haste to implement their agenda, cannot in fact do that, cannot take the public for granted in that way, cannot take the opposition, which are a very important part of any accountable, responsible and good gov-

ernment, for granted and not allow them the full participation that I think those who designed the Constitution and the parliamentary system that we all participate in and give at least word-of-mouth support to allowed for.

Here we are again, and it goes on and on. Some out there who have listened to me on Wednesday afternoon will know that I make the same argument and say a lot of the same things each time I get up here. For example, last week they time-allocated the bill concerning Ontarians with disabilities, the Ontarians with Disabilities Act. I said that we have 1.6 million disabled Ontario citizens, not Canada-wide here, waiting for this bill. They've waited for over six years. This government, when it first came to power, just systematically rubbed its hand across the table and wiped out all the legislation that had been put in place by our government between 1990 and 1995 to deal with the question of accessibility and participation of disabled citizens in our communities, in their workplaces, taking advantage of education opportunities and access to the health care system and other things in the province. They've been waiting for over six years, because this government made a promise that it would bring in a strong, effective Ontarians with Disabilities Act.

They throw up in our face all the time, when we discuss this, that we didn't pass the bill that was brought forward by Gary Malkowski. That's fine; we didn't do that. We did a lot of other things, however, that this government saw as not in their interests to keep in place: the Employment Equity Act. We set up the commission. We did a whole lot of things within the public sector itself, and the Planning Act, so that any new buildings would have to live up to certain requirements and regulations in terms of accessibility. We made sure that people with disabilities were able to access and participate in the education system by funding in a generous way organizations of government like the vocational rehabilitation services of the Ministry of Community and Social Services, which they got rid of; put money into transit: Handi-Cabs. I remember buses bought in my own community that were designed to not only pick up the temporarily abled folks out there but the disabled as well so that disabled people across this province could in very serious and significant and important ways participate in the communities in which they live.

This government came in and just wiped all those out. It promised those people that in doing that, they would bring in an Ontarians with Disabilities Act that would have some teeth, some effect, some ability to make change, and would put their own stamp on this very challenging area of public policy and public life.

But more than six years later, those 1.6 million disabled citizens out there were waiting for this government to live up to their promise. They tabled a bill, the second one they have tabled—the first one was such a joke that it just kind of flew off the table. I think it was one page, and it kind of went like this across the Legislature.

**Mr Bisson:** Kept on floating off the table.

**Mr Martin:** That's right. It was such a piece of fluff that even the minister lost her job over it.

But this bill now, hailed with some great flourish by the minister, who went across the province talking to people, making these wonderful promises that he was looking at this and looking at that, and "What about that?" gave everybody the sense that, "Hey, this guy understands. He knows what we're confronting and is, by way of that, probably going to do something here that will have some effect."

Well, we found out not long after he tabled the bill—and some of you will remember the tabling of that bill and what proceeded that that day. He brought in some disabled people, had lunch with them, had a press conference, but nobody had seen the bill yet.

**Mr Bisson:** I was going to ask. Exactly.

**Mr Martin:** Yes, nobody had seen the bill yet, so they were all singing the praises.

**Mr Bisson:** Did he at least pay his bill for lunch?

**Mr Martin:** I'm not sure whether he paid the bill or not. I'm assuming he probably did in that instance. But he had promised a lot of things as he went around the province and—

**The Acting Speaker:** Order. The Chair recognizes the chief government whip on a point of order.

**Hon R. Gary Stewart (Minister without Portfolio):** Mr Speaker, it is my understanding in this House that the speakers go through the Chair rather than having conversations and speaking back and forth.

**The Acting Speaker:** That is a point of order. I would ask the member to address his comments through the Chair, please.

**Mr Martin:** Well, it's just an example of how petty the government members across the way are getting in this place and how sensitive they are to criticism, because they know, and you know, member from Timmins—

**The Acting Speaker:** The rules of this House are not petty. I'd ask the member to correct himself and address his comments through the Chair.

The Chair recognizes the member for Don Valley East on a point of order.

**Mr David Caplan (Don Valley East):** I too am concerned about the rules of this House. Would you tell me if there is a quorum present to hear this presentation, please?

**The Acting Speaker:** I don't know, but I will have someone check that for you if you would like.

Would you check and see if there's a quorum present.

**Clerk Assistant (Ms Deborah Deller):** A quorum is present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Sault Ste Marie.

**Mr Martin:** Thank you very much. It's always important, Speaker—and we're talking about process here—that we have people in this place who are participating in the debate, even though in most instances they are talking to each other and not listening, and are writing at their desks. The member who just got up a few minutes ago to challenge me in terms of my conversation

with my colleague sitting beside me here is the only person in the House, other than the Liberal who just got up to call for quorum, who is actually paying attention to anything I have to say here. So it's helpful when somebody brings to your attention the possibility that there aren't enough members in this place to carry out the business of the Legislature.

I was saying, Mr Speaker, that last week we debated another time allocation motion here, and I'm speaking to you now very directly, about the Ontarians with Disabilities Act. I was saying that 1.6 million disabled Ontario citizens have been waiting for over six years for this government to bring forward a bill that will be effective in their ordinary, everyday life, a bill that, on the day that it's passed, will make a difference, that these people will recognize as having made a difference.

It was brought in with some great flourish, it was tabled, and then a day later we're debating it for second reading. A couple of days after that, we're debating a time allocation motion which is going to effectively cut down public debate, limit the ability of the public to participate. We were hoping that in this process, particularly with that bill, the Ontarians with Disabilities Act, the government, after having waited for six years, and the minister obviously being so convinced that this was the thing that was going to do it, would be willing to take the time necessary to do it right and hear from people, if in fact it wasn't going to do the job, what they needed to do by way of changes and amendment to achieve that end.

1610

Alas, that's not going to happen. Where we thought they might be willing to take January, February and March, when I'm sure we will all have a lot of time on our hands to participate in this public process, to actually go out across the province, to communities in the north, in the south, in the east and in the west, to actually hear from people about this bill, to make sure that the folks that this bill, the Ontarians with Disabilities Act, Bill 125, is targeted at had all kinds of opportunity; that the provisions necessary to translate or to make sure transportation was available were taken care of in a timely and comfortable fashion so that all those people felt they had adequate and full opportunity to participate if they wanted, to get to the location of the hearings, and then when getting to the hearings to be comfortable that all the assistive devices or translators etc that were necessary were there to help them get their message across, to understand that they were heard and understood by the committee; and that after that was done, that the government would be willing to take the significant time that would be available to them before the House comes back to consider the recommendations that were made, to consider the amendments that were put on the table and to do the right thing in the end and make sure that this was in fact a bill that committed government, that committed the private sector, that committed every citizen of this province to do everything within their power to make sure all citizens were included in the public business and the private business of Ontario in a

way that reflected the value that exists inherently in every single human being who calls Ontario home.

But alas, even in that instance, what we have before us now that we're trying to deal with, and I'll give you an example of how difficult it is, a process that sees us now, having done second reading—as a matter of fact, we didn't even get a chance to have any further debate on second reading for Bill 125. Once we passed the time allocation motion before us last Wednesday, it said right in the bill that the next time that bill was called, it would be voted on immediately, with no further debate, and that we would be out to these very limited and rushed public hearings that are going to see us going to Ottawa on Friday.

This is what I want to bring before you. Because we are going to Ottawa on Friday in such a hurry and because the bill wasn't voted on until Monday, there was a problem, there was a logistical snag in this process. The clerk of the committee, a very hard-working, proficient and excellent member of the staff of this legislative precinct, in her attempt to make sure the people in the Ottawa area knew of this opportunity to come and make comments to Bill 125, was hamstrung by the fact that she could not possibly get an ad into the Ottawa newspapers until Tuesday. If she was going to follow the template we usually use in this place, she would have to make the timeline for people asking to make submissions that Tuesday afternoon so that she could then schedule them and get back to them to tell them they were scheduled and when they were to appear, so that in fact they could be there on Friday.

Imagine: you read about this. You're a disabled person out there in some part of the Ottawa region. You pick up the Ottawa Citizen, probably some time Tuesday morning or afternoon. You hear that these hearings are coming to your area. You've been waiting for this bill for six years. You've got a lot to say about it.

First of all, you'd like to get your hands on it, because you've heard about it now by way of this ad in the paper, so that you could have a look at it and prepare something to present. But on top of that, you've now got until 5 o'clock on Tuesday to phone the clerk's office and tell them you want to appear before the committee. You probably suggest to her that she might want to send you a copy of the bill. Once you've done that, once you've got your head around that, you've got to then figure out, "How do I get there? Can I, between Wednesday and Friday morning, arrange for the kind of transportation I need to get me from here to there?"

It's one thing for able-bodied people, or the temporarily able-bodied people in the province, to have a window of about two or three days to look at a bill, assess it, come up with a critique, perhaps some suggested amendments and then organize yourself to get a place at the table at the hearings and then get yourself from home to there in a timely and comfortable fashion. Add to that the added challenge with no Ontarians with Disabilities Act in place, with no provisions provided by this government because they knocked them all off the table in 1995 when

they came to power, to provide you with the support you need to in fact get to these hearings and participate in some meaningful and helpful way. But that's what has happened here.

I haven't even begun to look at the challenges people in northern Ontario are going to have, because they've only got a week too, as they look at the potential for them to either get to Thunder Bay or Sudbury so that they can participate. Imagine somebody in Dubreuilville, Chapleau or Hornepayne—

**Mr Bisson:** Or even Timmins.

**Mr Martin:** —or even Timmins—

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** Thessalon.

**Mr Martin:** —or Thessalon, considering these public hearings. I'm particularly talking about the people in the Chapleau-Wawa-Hornepayne area. They're saying, "OK, next week on Thursday the hearings are going to be in Thunder Bay; on Friday they're going to be in Sudbury. Which place should I go?"

**Mr Bisson:** They're both pretty far from where I come from.

**Mr Martin:** You're darned right they are. From Chapleau, Wawa or Hornepayne, they're at least seven or eight hours away by car. I don't know if any of you have heard recently, but it's snowing up there. Joe, it started to snow there yesterday, about six inches of snow. We'll all be skiing on the weekend. We're hoping everybody will come.

But imagine the challenge to anybody who's disabled, you know, from Chapleau, Wawa or Hornepayne, trying to get to either Thunder Bay or Sudbury. It's not as easy as one would imagine. You look at that map of Ontario—and we all laugh about this, but it's not funny really. When you see the map of southern Ontario and you say, "OK, there's where everything is," and it looks relatively close. Then you flip the side that's northern Ontario over and you say, "What's the problem here?"

**Mr Bisson:** "It's not that far."

**Mr Martin:** "That's not far." What they don't realize is that it's not to scale. To get from a place like Wawa, Chapleau, Hornepayne or Dubreuilville to either Sudbury or Thunder Bay is a major undertaking. It's a big trip. You've got all these people out there who have been waiting for six years, 1.6 million of them waiting for six years—and I'm running out of time here—to look at the bill that's put forward, anxiously hoping it's all they expected it to be; they look at it, and it turns out that it's not, and they want to have some input. They want to go and speak to the bill, meet with their elected officials and put their thoughts on the table, but hey, it's a challenge, it's difficult. This government could have, if it really wanted to and was committed to public process, waited until January, February or March and given everybody ample and adequate opportunity to participate and do the right thing.

But here we are again: a bill that is dealing with the budget, a budget that we have some real concern about, particularly when you consider the fact that we're head-

ing into a recession. Just this morning we heard the US has finally officially and publicly admitted they're in recession. You know that when the Americans go into recession, we're not far behind, we're coming along and it's going to be our turn. We have a budget here that has been presented way before anybody was officially and publicly willing to concede there was a recession. We have some things to say about it, I'm sure the public out there has a lot to say about it, and we're being hamstrung with a time allocation motion that's going to see this done within the next week or two, and that's really shameful. I'm embarrassed, and I'm calling on the government to, please, stop the time allocation motions. Honour the time-tested process of this place and let it run its course so that we can have full and comprehensive analysis and comment and study on these important matters of public business.

1620

**The Acting Speaker:** Further debate?

**Mr Joseph Spina (Brampton Centre):** I'm pleased and honoured to be able to speak to this. I want to perhaps draw a cue for a moment from the honourable member from Sault Ste Marie. We come from the same hometown, born and raised. He lives right around the corner from my cousins. It is snowing. Do you know what? I wish I was there instead of here. Snow beats rain any day of the week, right?

**Mr Martin:** Any day, even if you have to shovel it.

**Mr Spina:** I want to remind my friend, the honourable member, that we want to ensure on that particular bill, the disabilities act and the public hearings that we are going to Windsor, Thunder Bay, Ottawa, and of course two days here in Toronto.

**Mr Caplan:** Why not Brampton?

**The Acting Speaker:** Order.

**Mr Spina:** Because it's covered by Toronto. That's why not Brampton.

**Mr Caplan:** Oh, they're not going to like that.

**Mr Spina:** We are part of the GTA. You can't deny that.

The reality is that we wanted to make sure that this particular bill is implemented as soon as we possibly can. It's always nicer and it certainly would be a wonderful, ideal situation if we could take it to many towns across Ontario. But one of the things that act will do, and we'll talk more about it when it comes before the House, is that it will allow more of those communities the opportunity to become more accessible for disabled people.

But I want to get back to the government element that my friend talks about. Here we are—and also the member from whatever it is, the St Thomas area; I'm not sure of his riding. Nevertheless, they talked about, "Here we go again, time allocation." I want to remind my honourable friend from Sault Ste Marie that there was something called the social contract. I thought it was amazing that he conveniently forgot about that. It was time-allocated. It was an omnibus bill. There was no debate. It was rammed through cabinet, no committee time, no consultation. It shut the government down in the fall of—

*Interjections.*

**The Acting Speaker:** Order.

**Mr Spina:** I guess we provoked an argument here, Speaker. But the reality is that if we look at their government, in the fall of 1994 I think they met for something like 10 days and then—

**Mr Bisson:** How long are we going to be on this one?

**The Acting Speaker:** Member for Timmins-James Bay, come to order.

**Mr Spina:** Just 10 days in the winter, and we're meeting from September till a week before Christmas.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** And we're sitting till 9:30 at night.

**The Acting Speaker:** Member for Huron-Bruce, come to order.

**Mr Spina:** And we're sitting till 9:30 at night, possibly even, in the next two weeks, until midnight. Thank goodness for the pages. God bless them. They're such beautiful children. They don't have to be here like we do till midnight, or even 9:30 every night.

But I want to say with respect to that government, not only did they only meet for 10 days in the fall of 1994, but in addition they never met at all in the spring because then Premier Bob Rae called the election because he had no choice. He had to call an election. Time had run out. He knew he was going to lose. It was a question of how much he could salvage.

You know what? To the credit of the two members who are here today, they won.

**Mr Martin:** What goes around comes around.

**The Acting Speaker:** Member for Sault Ste Marie, come to order.

**Mr Spina:** They won, and they are still here to enjoy the privilege of representing their respective ridings today, 10 years later.

But the finance minister—which is the germane subject to which we must be speaking today—Jim Flaherty, was criticized for bringing down what was ostensibly a budget. Why didn't it have the elements of a budget, the secrecy, a lock-up, a guarded document situation with police officers and security people? It wasn't a budget. However, it was a financial statement that evaluated our situation in a fiscal way. Like any good \$80-billion corporation, you have to be able to evaluate where you stand on a regular monthly basis. This government not only does that of course on a monthly basis, because we have ministry people who do that, regardless of who the government of the day is, but the reality is that it is good, sound management policy to make a statement not only on the status of what the economy is but also if there are some substantive changes which the government is preparing to make, then, like any good \$80-billion corporation, which is what this province is, you have to shift the gears in order to make sure the funding continues to be there for the people of this province: funding for our health care system so that the emergency wards this winter will continue to be able to provide service and extended service with the rush periods they will experi-

ence, particularly on weekends or holidays; so that we can continue to ensure that we have the programs in place for student testing, teacher testing and various elements of the quality of education that we are trying to deliver.

I want to touch on some points that my colleague from London West talked about and eluded to in a couple of words. He left it to me, thank goodness, to flesh out some of the details.

He talked about the accelerated tax cuts. Tax cuts, as Mr Wood said, are the single most important reason why this province has enjoyed strong economic growth.

We've created over 824,000 jobs in the six years that we've been here. The opposition, and particularly the Liberals, say, "We've lost 30,000 jobs in this past year." That may be so, but we didn't go to hell in a handbasket. The reality is that when you increase the number of jobs in this province, a net increase of 864,000 over that five- or six-year period, which really is more than 100,000 a year, or close to 150,000 jobs a year, we are more capable of managing the economy. Because of that, and managing the fiscal responsibility of this government, the provincial treasury and the taxpayers' dollars, we can lose 30,000 jobs—which is not a good thing for the people out there. But if we can ride through that and come out of it even better than when we went into it, those are the goals that we want to achieve. So in the next year we may only have a 90,000 increase in net jobs, rather than 150,000, but at least we've had an increase as opposed to a net, net, net decline, which is what happened in 1990, 1991, 1992, 1993, 1994 and 1995, until this government took power and began to turn this gigantic ship called Ontario around so that we could experience the positive economic impact that we have today.

Disposable income has increased by 20% and tax revenues have increased by nearly \$15 billion, all since 1995. That's an interesting figure, because the reality is that the growth, on an annual basis, started out slowly in 1995, somewhere around 1.5% to 1.75%. It almost doubled, but not quite, to about 2.75% in the 1996-97 fiscal year. Then it jumped to almost 5% in the subsequent years.

I thought it was very wise of Minister Flaherty to look at the situation over this past year. It suddenly became an amazing revelation in the papers this week that the US had struck a recession in the early part of 2001. This was no revelation to the US government and the US treasury, and it was no revelation to the people in the Ministry of Finance in Ontario, because they knew what was happening. The reality was that we were able to control it, we were able to manage it, and we will continue to do so with the incentives of the accelerated tax reductions because now it has been demonstrated.

1630

Ontario's growth was higher than the Canadian government's growth. People can ask, "Why?" Well, I can tell you why. Normally, the country goes as Ontario goes. One would presume, therefore, that the percentages we experienced in Ontario would be experienced feder-

ally, but they were not. Ontario's averages were far above the Canadian average. The reason is that the tax reductions and increase in disposable income, those dollars and cents in the hands of the consumer, allowed them to decide where they wanted to spend it: to either put it in a bank or buy a new pair of boots, a new pair of shoes, a new coat, or make a down payment on a new car, or put more money into our children's university savings funds. Those are the decisions consumers make. Those are the important elements that consumers have. It's the decision-making authority the consumer now has with that extra amount of money that makes it critical. That it is what the difference was. The increase in the billions of dollars—\$15 billion over a five-year period; \$5 billion more revenue a year—for a much smaller reduction in tax cuts, far exceeded the federal government.

I go back to my question of three minutes ago. People can ask, "Why? The federal government cut taxes. Why didn't they get the same amount of proportional increase of revenue that Ontario did?" Because they rode the back of our success, balanced their budget, then cut taxes. That's admirable. But do you know what? If they had done what we did, they would have been far more successful. Instead of a \$17-billion surplus that I think Mr Martin had a couple of years ago, which was his first big surplus, he might have had twice that. Even if he only had one and a half times that, fundamentally it would have been far better. He could have taken more money toward the deficit.

One of my little picking points and one of my little gripes about the federal government, among others, is this: why didn't they fund the military so we aren't embarrassed with the soldiers we are sending overseas? No one could have predicted 9-11, but do you know what? You can't sit back on your hands and say, "Well, let the US do it all." We've got soldiers out there who are very proud people. We have a military, which is a traditional pride in this country. I think of the Lorne Scots, the Peel, Halton and Dufferin regiment, an extremely proud traditional regiment, ready, willing and able to go when they are called to serve for our country, and yet, some of the weapons and some the clothing they have are not up to date.

I think one of the most embarrassing elements we've experienced in this country, and I'm amazed the media never picked up on this—of course, they're the darlings of the Jean Chrétien government, so why would the media pick up on this? But here is the reality: all of the Canadian military boots—a small point but an important one—were produced by a factory in Quebec. When that factory shut down, what happened? "Oh my goodness, what are we going to do? Where are we going to get boots for our soldiers?" Hello, it's like it's the only factory in North America? I doubt that it's the only factory in Canada. The reality is that if they would have bought quality material for a long period of time—there is nothing wrong with the quality of the US army boots, I can tell you. What's wrong with that? But no, they want to fund stuff for Quebec. Forget the rest of the country.

Let's feed the dollars into Quebec and force-feed it. The francophones run the military, they run the government. The only bilingual city in this entire country is Ottawa. It is the only bilingual city in this entire country.

Let me get back to the point, which is this: if the federal government had cut taxes sooner, like we did, before they balanced the budget, they would have had that much more surplus to be able to spend on anything—the health care they cut back, the \$2 billion per year to Ontario and all the other provinces in this country. They would have had some money to put into the military so we wouldn't be embarrassed in a situation that we are called to do and they would have been able to provide perhaps an even better tax break to the citizens of Canada. They would have perhaps been able to put more money into the Canada pension fund instead of whacking the worker and having it taken off their paycheque at a higher rate so that whatever tax break they got from Ontario was chewed up by the federal government raising the pension plan rates.

This is a government that practises fiscal responsibility. It keeps its eye on the till. When it comes time to make changes, responsible changes, to shift gears, to deliver responsible government and a responsible action economically for the people of Ontario, this is the government that does it.

**Mr Joseph Cordiano (York South-Weston):** I am very delighted to participate in this debate because it provides us with an opportunity, those of us on this side of the House, to clearly point out to the public out there that in fact there is a bunch of myths being perpetrated when it comes to economic policy.

Myth number 1: it was this government's tax cuts that led to an economic recovery the likes of which we have never seen before. Total myth. In fact, it was monetary policy, the reduction in interest rates brought about by both the Federal Reserve and the Bank of Canada, to an ever-decreasing amount during the 1990s, that allowed the economy to have the kind of growth that we saw, in addition to the fact that Ontario has become even more export-driven. We have a much greater dependence on exports to the United States than ever before, and that has proven to be very successful for our economy.

It means that Ontario has industries that are selling more to the United States. Our manufacturing base, the auto sector and the spinoffs from the auto sector, have benefited enormously from the fact that we sell more exports to the United States. We have many more industries engaged in that export production and, as a result, Ontario has seen another boom.

Ontario has always been export-driven. The United States has always been our biggest marketplace. When we were in government, we experienced tremendous growth between 1986 and 1989. Those were boom years as well and the unemployment rate at that time was very similar to the unemployment rate that we've seen in the past number of years.

If—and this is myth number two—the tax cuts created all these jobs during all of these years that we've had a

boom, then why is it that we're now experiencing a decline in the employment numbers? In fact, the number of jobs we've lost is 29,000 alone in the last six months. Companies know that you're cutting taxes, companies know that you're cutting corporate taxes, and that isn't incentive enough to create jobs, which means that it's not tax cuts at all that create jobs.

**1640**

Tax cuts are designed to provide additional stimulus for individuals. I agree with that to a certain extent but, at a time when confidence is very low, at a time when that's been severely eroded, tax cuts alone will not provide that stimulus. This is a reckless policy at the present time. The government is now admitting that you have a \$5-billion gap that you need to make up somehow. Well, it's not surprising. They plan to cut taxes, \$2.5 billion to the corporate sector. On top of that, they're going to give an additional \$500 million to private school funding. It's not surprising that the Minister of Finance is going around pulling his hair, saying, "I've got to make up this gap somehow." It's not surprising that the former Minister of Finance has entered the race and has been called back by his colleagues, because there's simply a disaster going to happen with this government's books.

**Hon Mr Baird:** Say it isn't so.

**Mr Cordiano:** Well, it's a \$5-billion gap that you need to make up. You're facing a deficit this year if you don't do something about it.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Stay tuned.

**Mr Cordiano:** The member says, "Stay tuned." Well, that's what we're fearful about. The seniors in my riding are very alarmed by this because, as we've pointed out in this House time and again, community care access centres have been cut; home care is nothing but a shambles—total mismanagement. You're now taking over because you don't like the fact that CCACs have spoken out against the lack of funding. There's a shortage of funding; that is very clear.

In my community, the North York CCAC was facing a \$10-million shortfall, and what does this government say? What do you say? You say to 70-year-olds, "You look after your 90-year-old parents." That's what you're saying to people in my riding repeatedly, because there is no home care. There are waiting lists. Can you imagine?

This is a government that says it's going to continue with tax cuts, a government that does not realize that Ontario is competitive because we have had in the past the kind of health care system that is very cost-efficient, that enables employers like the auto companies to make an investment decision in Ontario because they have a \$2,500 advantage over their American counterparts. Can you imagine? Some \$2,500 as a result of a health care system that is publicly funded, and what are you doing now? You're going to dismantle that system. You are denying that system the funds that it needs. Ottawa in fact—

**Hon Mrs Johns:** Let's talk about that.

**Mr Cordiano:** Let's talk about Ottawa. Ottawa has transferred \$6.3 billion this year for health care—

**Hon Mrs Johns:** They have not.

**Mr Cordiano:** —to Queen's Park. That's right. That's \$1.2 billion more than last year, and your finance minister has suggested that it's costing him \$1.9 billion more in health care costs. So the budget for health care has gone up—it has—to \$23.7 billion. That means a \$1.9-billion increase over last year. But guess what? The federal government gave you \$6.3 billion—

**Hon Mrs Johns:** Gave us?

**Mr Cordiano:** That's right—in transfers. They transferred that over to you, \$1.2 billion more than last year. So what you're required to make up, the difference, is about \$700 million, which you say you don't have, but you do have in the form of a tax cut of \$2.5 billion. So this is another myth that this government continues to perpetrate, that they don't have the money. Yet they have the money to cut taxes. Something doesn't add up here. It simply does not add up. You have \$2.5 billion for corporate taxes and yet you don't have the health care money that you need, so you claim.

So the people in my riding and the people across this province, the seniors across this province, what are they forced to do, the 70-year-olds in my riding, some of whom unfortunately are ill and are undergoing treatment themselves? In the case of one of my—

*Interjections.*

**Mr Cordiano:** Mr Speaker, I'm not sure if I'm supposed to be speaking right now. I'm being interrupted. So I wanted to sit down and give you the opportunity to intervene on my behalf, but I will continue.

**The Acting Speaker:** Are you finished your time?

**Mr Cordiano:** No, I'm not.

**The Acting Speaker:** I would expect that you continue, please.

**Mr Cordiano:** That's what I would like to know, Mr Speaker.

Anyway, as I was saying, the fact of the matter is I did interrupt myself because I wanted attention from Mr Speaker, and I got it. So thank you very much, Mr Speaker.

Let me simply say this: you can't have it both ways. You can't say to the public, "We don't have enough money," when you're going to cut taxes. You obviously have enough money to cut taxes. Yet in the face of the facts—the facts are that we have declining employment numbers. We've lost 29,000 jobs, yet you're saying we're going to stimulate the economy by cutting taxes. It's not working. We're still losing jobs.

But one thing is certain: we need those health care dollars. We need those dollars to go into funding our health care needs, home care. It is unacceptable, completely disgraceful, that 70-year-olds, as I've pointed out in this Legislative Assembly time and again, people in my riding—Mr Derango, who had been looking after his mother, who is a 90-year-old, along with his wife, now has to undergo cancer treatment. As a result of these problems, he applied for home care. He was told that he

would be put on a waiting list to receive that home care. I asked the associate minister of health, is that acceptable to her. Is that acceptable to this government, that 70-year-olds should be put in a position where they have to care for their 90-year-old parents? That is disgraceful in this province in this day and age.

*Interjections.*

**The Acting Speaker:** Would the member for Huron-Bruce and the member for Don Valley East come to order.

**Mr Cordiano:** It's this government, that has been in charge of that administration for CCACs across this province, that has created this crisis yet again. It's simply unacceptable that that would be the case. I'll turn it over to my colleagues.

**The Acting Speaker:** If you feel that you must indulge in a conversation back and forth, it's fine as long as I can't hear. If I hear it, then it's too loud.

**Mr Bisson:** I want to thank you, Mr Speaker, for recognizing me today, this humble servant of the Legislature and this humble servant to the people of Timmins-James Bay, who is here today in order to speak on this, yet another time allocation motion.

Do you realize how many times the government has come before us with a time allocation motion? I'm just shocked. The government, the Tories, the same party that, when they were in opposition, used to rail against the Bob Rae government because we had brought in some, I think, 15 or 18 time allocation motions over a period of five years—over a period of six years now the Conservatives are on a routine habit of bringing a time allocation motion each and every week, at least one. So you do the math. They've been here for six years; they do it every week. We sit about 26 to 30 weeks per year. They are far in excess of what the New Democrats or Liberals had ever introduced by way of time allocation motions.

I say to the government across the way, why do you need time allocation motions when you look at the rules which you have designed in this House that allow you to do pretty well what you want anyway? As it is now, the government, because of the rule changes, has limited the time that members can debate bills in the House, has limited our ability to oppose, as opposition parties, the government in trying to slow down your agenda. Without time allocation motions, you should be able to pass through the House what you need in fairly record time, considering we now have afternoon sessions and we have evening sessions, which count more or less as two different sessional days. We didn't even have that luxury when we were in government. I have to say to myself, either there is a total disregard for the democratic process on the part of the Conservative government or you're incompetent and you don't know how to run the House. The problem is, I don't care which one it is; either one of them is a bad option for the people of Ontario.

So I say to the government across the way, what we should be doing is sitting down as parties and looking at how we set the rules in this House such that we have an

equal balance between the ability of the government to pass its agenda, but at the same time an ability, but not equal to the government, on the part of the opposition to slow down the agenda when we need to so that we can actually force the type of debate we need on some of the very important bills, such as the budget debate we're having today.

1650

I say to the government that as a practical matter, as a New Democrat I am suggesting to you, because I believe, as does my friend Tony Martin and as do all nine of us in the NDP caucus—we are so many in our caucus; we are nine—

**Mr Martin:** We are mighty.

**Mr Bisson:** —and we are mighty. It's amazing.

I say to the members in the House that I propose, as a New Democrat, to the government that what we should be doing in a practical way is sitting down together as parties, either at the committee level or at the House leaders' level initially, to look at how we redraft the rules of the House so that we are able to have a balance in this place again, so that the government, yes, can pass its agenda.

I accept that the government got a majority. Mike Harris went to the polls in 1995. He won a majority government. It's fair and square and I accept that. But you'll have to accept from me as an opposition member that I also have an ability. There are a number of members in this House who may be a minority as members, but we won a majority of votes. You guys got 44% of the general vote, or 41%, and we got more than that as a combination between New Democrats and Liberals. But a majority of Ontarians are shut out of the process because of the rules of this House.

I believe that more government members agree with me than are willing to stand up and speak today, like my good friend across the way, to whom I will point and not say any names, because I know that gentleman across the way agrees with me that we need to change the rules in this House so that members in the back bench of the government and, I would argue, government members as well in the cabinet, have an ability to play a more important role in the House, so that it's not just a choice few in the Premier's circle who decide everything that happens here in the Legislature.

Here's the question; it's a simple one: should the government, at the end of this debate, have the right to pass their budget bill with a majority government? The answer is yes, no question. They won a majority government. They have the right to pass legislation in this House. The people have spoken. I accept that. What I don't accept is a set of rules in this House that says because you happen to have a Premier who feels he has to have control of everything, we in the opposition, who happen to have got the majority of votes in the last election but have a minority of seats in the House because of our first-past-the-post system, don't have an ability to slow you down when necessary.

As my friend Tony Martin, the member from Sault Ste Marie, said, it's important that we have debate on certain bills. We probably would slow down debate on the Ontarians with Disabilities Act, because we think it's important that we go out and talk to the disabled community to see how we can strengthen the bill. We fundamentally agree with what you're trying to do. We think, though, it could be made better.

On the other hand, there are other bills we would be prepared to allow you to have much more quickly because there's generally not a lot of contention and we say, "OK, we would accept that." There are a number of bills the government has that I would be prepared to support, but I will not support them at this point and I will slow you down because you've given me no other option by way of the rules of this House.

The Harris government changed all the rules and said that I have no ability to do what we used to do before, as an opposition party, either Liberals or New Democrats or Tories, and that is to hold the feet of the government to the fire so we're able to get important concessions on key bills that are important to our communities. We can't do that any more. You have put the opposition parties in the position of having to try to slow you down on everything because overall we can't—not that we should be able to stop you, but we're not able to affect your legislative agenda. So yes, I will speak on every bill, because you've given me no other option.

I know there are government members and there are certainly opposition members who agree with me. We should be sitting down as House leaders or at the committee level. We should be reconstituting the rules of this House so that we can have a real debate at the end of the day that is for the benefit of the people of Ontario, and yes, the government should have the right to pass its bills, but there should be some balance by way of the powers the opposition party has.

I'm sure the Clerk's table would be able to help us. I'm sure they have lots of ideas. For example, with new rules in this House we would be able to have a discussion that I think we have to have on this bill, which is that the government initially put out a budget last spring that said we were going to have a surplus at the end of this fiscal year. It's not their fault; because of fiscal realities the American economy is slowing down. I'm not going to sit here and say the Ontario recession is happening because of Mike Harris. It's because of what's happening in the United States. Because of the slowdown in the American economy, we are now in a situation where the government is saying, "Whoa. We don't know if we're going to be able to make our projections." In fact, things are so bad that if we look at the extreme circumstance, in the next budget year we might be as much as \$5 billion in debt.

I believe we have to have a good debate about the balance we need to strike in this fiscal year and the next as to how we deal with the issue of public debt. The government has passed legislation and said, "We shall not have a deficit in the province of Ontario." But faced

with the reality of having to make a decision about having a deficit over the short term next year, to make sure we don't gut our social programs such as health care and education, should we run a small deficit to make sure we don't end up there? That's one option. I don't know how the vote would turn out. I imagine there would be a bit of a split, even with members of your own caucus. I listened to Mr Stockwell, who says he doesn't believe in tax cuts at a time of recession.

My point is, we're not able to have those discussions. For example, contained in this budget bill are accelerated tax cuts for both individuals and businesses in Ontario. I will argue that tax cuts by way of income tax are by their very nature not a good way to stimulate the economy. You have to give such a huge tax break on the income tax side for people to see it, so that they have the dollars in their pockets to go out and spend it in the economy, that you virtually can't reach the target or even make it register on the radar screen of most people. I will argue that most low-income earners in Ontario have not really seen the tax cut, if they're making \$20,000 to \$30,000 or \$35,000 a year. I make \$80,000 to \$90,000 and I saw the difference; there's no question. But I make more money than most people and that's the way the tax cut was set up.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** Do a bit in French for my people up there.

**Mr Bisson:** Yes, we can do that for you, Bill. No problem. We're always here to please.

I say we have to have the debate about whether we should be having accelerated tax cuts at a time of recession. We don't have an opportunity to have that debate because of the way the government has set up the rules in this House.

We should have a debate, by the way, on the issue of SuperBuild. The government has done quite an interesting trick here. Do you know what they did? We used to have capital dollars within the government and each of the ministries, the Ministry of the Environment, the Ministry of Northern Development and Mines, the Ministry of Transportation and the Ministry of Tourism and Recreation all had capital budgets. If you were a school in your community and you wanted to build a new roof on the school, you'd go the Ministry of Education for capital dollars. If you were the local arena and you wanted to fix the arena floor, you went to the Ministry of Tourism and Recreation to get the dollars to fix your arena, along with local money. If a municipality wanted to build a new library, such as the city of Timmins wants to do, they would go to the Ministry of Tourism, Culture and Recreation or the Ministry of Northern Development and Mines and get money to build it.

All these groups were out there trying to advance what needed to be done in their communities. What the government said, and why I think this is an important issue to debate, was, "We're going to create one capital fund called SuperBuild." Here's the trick: they're saying the only ones to get funded by way of SuperBuild—because now there's only one pot. There are fewer places people

can go to get capital dollars. The only way you can get money is to have the support of the local municipality to get your project done. The difficulty with that is it puts the municipality up as the bad guy.

The city of Timmins, by way of council, made a decision that most people in our community support: the idea of building a new public library, a new resource centre for Timmins, for schools and local citizens to be able to utilize the technologies, look at books and utilize the services of a library. They put that out as a project. That's an important project for Timmins, one that I and most people in our community can support. But here's the difficulty: by virtue of the rules of SuperBuild, the city of Timmins has to basically give the go-ahead as to which one project is going to get supported. So because the city says, "We want a library," everybody else is shut out of the process. The people who were trying to build a track and field facility at Theriault high school have to take a back seat because Timmins wants to build its library.

They're setting up the city of Timmins, our council and our mayor, Mrs Jamie Lim, as the bad guys. They're not the bad guys. They're trying to do good things for their community. I support Jamie Lim as a mayor. I think she's doing a great job. I support my council. All the councillors in the city of Timmins are doing a wonderful job trying to advance the projects for our community. But they are setting them up for division. Now the council is split between, "Should we do this library or shouldn't we do it?" You've got people in the community asking, "Should we do this library or shouldn't we do it?" You've got petitions circulating through the city. We're setting up the mayor and we're setting up the council as the bad guys, and all they're trying to do is run a city.

1700

I say to the government, why have one SuperBuild fund where you only allow one project to go through? You should have left the ministries with the capital dollars necessary so the city that wants a library can go to the fund for libraries, and they're not competing with the people who are trying to build a track-and-field track, they're not competing with the people who want to build a new floor at the South Porcupine arena and they're not competing with someone who is trying to build a daycare facility.

**Mr Murdoch:** How much money—

**Mr Bisson:** The point is that it's not a question of how much more money. You have to compete within the one pot, so everybody else is pushed off.

**Mr Murdoch:** That makes more sense because you don't have those bureaucrats running it.

**Mr Bisson:** It makes no sense, Bill. It makes absolutely no sense, because it divides the communities. If, as the communities are saying, you're only allowed one project by the rules in this rotation, the city has to pick. If the city had said, "We support the track-and-field project," and then the South Porcupine arena people want a floor in their new arena, they have to be set up as, "You

support our projects or we don't support yours." I say it's unfair to the council and it's unfair to the municipalities.

Je veux aussi dire que toute la question dans ce budget—on aurait pu avoir une bonne discussion ce soir—c'est sur la commission de télécommunications et de transport du nord de l'Ontario. On sait que le gouvernement a décidé, avec leurs génies à l'intérieur du gouvernement, qu'ils veulent à leur tour s'organiser à ôter les services ferroviaires passagers pour les citoyens du nord de l'Ontario et pour ceux qui viennent au nord de la province. Dans ce projet de loi, on n'a pas l'opportunité d'avoir le débat nécessaire pour dire, est-ce qu'on doit donner l'autorité par droit de cette législation à la commission de pouvoir fermer n'importe quelle partie de son opération, sans avoir à retourner au cabinet de l'Ontario pour avoir la permission ?

We have another one crossing the floor. Thank you very much, Mr Beaubien. Nice to have you with us.

**M. Beaubien :** On parle le français là.

**M. Bisson :** On parle français, mon ami. Sérieusement, M. Beaubien est un bon ami, un bon francophone. On n'est pas assez francophone dans cette assemblée. On s'arrange très bien pour être capable de faire des blagues comme ça de temps en temps.

Mais le point que je veux faire, c'est que le gouvernement dans la législation dit que vous avez le droit, par la législation, de fermer les parties de la CTON que la commission elle-même décide pourraient fermer. Le problème avec ça, c'est que ça donne l'habilité de fermer les services ferroviaires pour les passagers du nord-est de l'Ontario. Ça ne fait pas de bon sens. À place de détruire l'infrastructure des transports dans le nord-est de l'Ontario, on doit être en train, dans un temps de récession, de trouver une manière de renforcer ces services pour la population du nord-est de l'Ontario.

I say to the government as well that we're not having an opportunity in this debate because you have time-allocated this bill. Again, the rules of the House do not allow us to do the kind of scrutiny we need to do on this bill. We don't have the opportunity to talk about a very important issue: the tax cut agenda of the government. The government has now accelerated, by way of this bill, tax cuts to wealthy corporations and wealthy individuals in this province. Let's say the government decides that's something they want to do and they think it's a great idea. That's somewhat debatable. But here's the problem I'm having. There is duplicity in the argument the government puts forward. The government says, "We are going to give up in the next couple of years"—when you count the tax cut for corporations, the tax cut for personal income tax and the school tax credit to private schools, the government is giving over \$3.5 billion in tax dollars back to the taxpayers of Ontario.

If we had the money to give away, that might be a good thing. But we're heading into a recession. The government has now admitted that next year they may have a \$5-billion deficit. Tell me, why would anybody in their right mind, in a time of recession, say, "I'm going to take \$3.5 billion of revenue and throw it away"? And

then say, "Oh, Mr Chrétien, give me more money. I've got to pay for health care." Well, excuse me. You threw the money away and now you expect the federal government to give you \$6 billion?

I want to make a point: I agree with the government that the federal Liberals are not living up their commitment. I agree with the government that the federal Liberals have downloaded health care to the provinces. I have no argument with the government on that point. If you're going to go cap in hand back to the federal government, I'll go with you, but don't throw away \$3.5 billion of revenue over the next two years. It takes away from your argument. How can you expect the federal government to take you seriously? Jean Chrétien is no stupid politician. He's a pretty bright politician, we can all agree.

**Mr Murdoch :** Do some French. You've only got two minutes left.

**Mr Bisson :** I did it already, Bill. You weren't listening.

Mr Chrétien, sitting in Ottawa, is going to sit back and say, "Why should I give you \$6 billion in transfers that you say I owe you when you're giving away \$3.5 billion in tax cuts in the next two or three years?" Chrétien can hide behind that. It's an irresponsible thing to do.

I say, as a New Democrat, do you want a suggestion? It's not up to me just to criticize. I must give you options, suggestions that you can follow. I suggest you should cancel the tax cuts. In a time of recession when you're losing revenue because of a slowdown in the economy, don't give that tax cut to the wealthiest people in the province of Ontario and to the corporations. If you're going to do a tax cut, do it on the revenue side, do it on the PST side. That's what we suggest. At least that way it's equalized. You may even get the federal government to reduce the GST in Ontario for a short period of time, and that may have a stimulus impact on the economy, but if you're giving away the income tax cut—think about this: \$2.2 billion of corporate tax cuts to the corporations in the province of Ontario. Are they going to take that money and re-spend it back here? Do we really think that? The reality is that most of it's going to go back to the people who own stock in the company. If they were planning on doing any kind of increase as far as production capacity, they're going to do that regardless of a tax cut, so we're really not getting anything back for it.

So my argument is, don't give them a tax cut at the time of a recession. Take that money, put it into services that are important to the people of the province, such as transportation infrastructure, like the Ontario Northland train; such as health care; such as education. Leave it in those programs that are important. Do you know what is really interesting? It's not only me who's saying that. Mr Stockwell, one of the candidates running in the Tory leadership race, says it as well.

I say to the government, in the few seconds that I have left, I agree that you won a majority government in the last election. I agree and I accept that you have the right

to pass legislation. But the rules of this House have to be changed so that we in the opposition have an equal ability to have an effect on what you're doing, so that we're able together, as all parties in this House, to work on behalf of the people of this province. With the rules we have now, it's pretty darned hard.

**The Acting Speaker:** Further debate? The Chair recognizes the member for St Catharines.

**Mr James J. Bradley (St Catharines):** Thank you very much, Mr Speaker, for the opportunity, unfortunately, to speak on yet another time allocation motion. That is a motion, of course, where debate is choked off in the Legislative Assembly by the dictum of the government; that's most unfortunate, but it does happen only too often.

The first thing I want to say is that I wish that in the legislation that comes forward in this House there would be more consideration of the marine industry. Representatives of the marine industry, which is extremely important to our province, were meeting with members of the Legislature today, particularly those of us who represent areas where the marine industry is extremely important, though it is important for all of Ontario.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Does that include the Rideau Canal?

**Mr Bradley:** The Rideau Canal may well be.

I should share with members that there is not a community in this province, including those in the interior, that wouldn't be impacted by the marine industry. In 1999, Ontario ports handled more than 76 million tonnes of cargo, worth more than \$5 billion. In the last 40 years, the seaway has moved more than two billion tonnes of cargo, valued at \$400 billion. The seaway serves 15 international and more than 50 regional ports on both sides of the border, so you can see it has a major impact. They have some issues that they would like to have this government deal with, and I'm sure they will.

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But I think we have to first of all recognize that the Minister of Transportation, no matter which party is in or who it happens to be, should recognize that the marine industry is part of the transportation industry in this province. It's almost as though, in Ontario at least, the Minister of Transportation is, as he or she used to be, the Minister of Highways, where we've had a bit of branching out into public transit of the commuter rail type. But certainly we should recognize the marine industry and its importance and its needs. It is the most environmentally benign way, for instance, of moving product from one end of the province to the other, or indeed around Canada, much more benign environmentally, particularly in terms of air quality, than other ways of moving products around the country.

We recognize as well that there are certain challenges that this industry is facing, as others are. But we should know that the commodities that move in large bulk in our marine industry are steel manufacturing, aggregates and construction materials, power generation, agriculture, petroleum products and road salt. All of these are

dependent upon the ships that are on the St Lawrence Seaway. One of the problems is that they face some user fees that other modes of transportation do not. They would like the playing field levelled by not having as high user fees for using the St Lawrence Seaway system and other obligations which are placed upon them. The industry also faces a challenge which many other Industries do, and that is the age of the people working in the industry at the present time. They require our community colleges to have courses for mariners, first of all to attract people as mariners and then to have the courses available to them.

They have a number of issues, and I hope this Legislature will see them as being important. It's the transportation itself, yes, by means of ships. It's the shipbuilding and ship repair industry, which is important in St Catharines, if I can be parochial, at Port Weller Dry Docks, and of course places such as Dofasco and Stelco and other industries that rely upon it for carrying of products. I wanted to mention that because here we are dealing with a time allocation motion when we could be dealing with the issues of the marine industry.

I want to deal with some other matters that I feel this bill does not adequately address. Because we have this obsession on the part of the government with tax cuts—that's virtually everybody but the Minister of Labour, who now says we can't afford more tax cuts, and I happen to agree with him. I think he's broken ranks with the others and he's finally able to speak out in the open, and I commend him for doing so. But we have a formula, as a result, for the closing of schools which is far too inflexible and far too confining. What does it result in? It results in schools in St Catharines such as Consolidated, Dalewood, Maplewood, Lakebreeze and Victoria all being under the gun, all threatened with closing. These schools have served their neighbourhoods very well over the years. They have a tradition. They are a community centre. Their grounds are used for recreational purposes. It would be awful to see those schools closed, as I'm sure all members in this Legislature are confronted with matters of this kind.

The natural focus is on members of the board of education. That is how the provincial government wishes it to be. I happen to know it's the funding formula that is provided by the Ministry of Education which is so restrictive now that it does not allow local boards of education to keep open those neighbourhood schools. Therefore, more and more students are on buses and we lose the important neighbourhood school as a community centre for us and for the children who access it.

I am pleading with the government on this occasion to change that funding formula. You have noticed that I have been receiving petitions on this and I have read the petitions in the Legislature on almost a daily basis to try to encourage that.

**Mr Guzzo:** The Ottawa board still has a farm.

**Mr Bradley:** The Ottawa board still has a farm, the member says, and that's very nice to have.

I want to say as well, because the associate minister of health is here this afternoon, that our community care access centres are way underfunded in our area. There are people calling the constituency office on a daily basis asking that the funding be restored, that adequate funding be available. We know, for instance, that hospitals now have people leave those hospitals much more quickly, in a quicker and sicker state, as people will say, so we need those community services much more frequently and much more extensively. But unfortunately, this government has frozen the budgets, and that represents in effect a cut.

*Interjection.*

**Mr Bradley:** Most people would understand that if the demand for the service is far greater, if the number of people requiring that service is far greater, and the government does not increase its funding to meet that need, then in effect that's a cut. Most people would understand that. Everyone but my friend the minister seems to understand that to be the case.

Nursing homes are facing a very difficult challenge now. They don't have enough staff to provide the kind of services they would like to provide, because the per diem that is provided by the government is not adequate. I invite the associate minister of health to visit Linhaven in St Catharines, a wonderful facility which is now straining under the budgetary constraints placed upon it by this government.

I know that people with special needs—

*Interjections.*

**The Acting Speaker:** In this House, only the person that I recognize to have the floor is allowed to speak. In this case, it's the member for St Catharines. So I would ask the indulgence of the others that you don't interrupt. That way I will not be under the necessity of enforcing the restrictive rules that we have and that are available to me to address the issue.

**Mr Bradley:** Thank you, Mr Speaker, and I'll say in conclusion that the other aspect I want to deal with is people with special needs. Often there are people who have psychiatric problems, who have mental illness, and have some very special needs. We need more of an investment in that area as well.

**The Acting Speaker:** Further debate?

**Mr Caplan:** Usually I would mention that it's a pleasure to speak to a particular item here in the House, but it's not a pleasure to speak to another closure motion. It's not any surprise why. The members opposite don't want to talk about what's contained in Bill 127. They want to push it through this House as quickly as possible, outside of public view. They really don't want the public to know, and that's why, frankly, we have opposition members here to shed some light on what is actually contained in this piece of legislation.

It's a very thick act. There is a lot in here. There are some very interesting sections, and I did want to talk about them in the few minutes that I have to speak here today. As I said, the government doesn't want to do that.

I would refer to part VI of the act. It relates to the Education Act and is found on page 39. Under a heading called "Retroactivity," it says, "A regulation made under this section is, if it so provides, effective with reference to a period before it is filed." What that means is that the Minister of Finance in the province of Ontario is giving himself the authority to retroactively set education property tax rates.

I know, Speaker, you have a strong municipal background. You know that local residents, hard-working taxpayers, hard-pressed businesses in Ontario, are coping with the strain of downloading, with the municipal tax burden that's been forced upon them by the Harris government. Now the Minister of Finance has decided that he's going to retroactively set education property tax rates by regulation. Can you believe such a thing? The folks in Listowel will be very unhappy to learn that with the stroke of a pen, Jim Flaherty, our finance minister, without any public input, without any debate, without any transparency, is going to tax them without any representation. It's a scandal, absolutely a scandal.

1720

There are some other very interesting sections of this bill. I would refer as well to the section that deals with Highway 407, part XIII of the bill, the Highway 407 East Completion Act, 2001, as set out in schedule B.

When I went to schedule B, some very interesting things were in this part of the legislation. It talks about toll collection and the powers of the owner. There's a very long list of things that the owner can do. Then when you flip, one or two pages over, to page 153 of the bill, it says, "Registrar's action." You might want to ask yourself, "What do the actions of the registrar of motor vehicles have to do with Highway 407 and toll collection?" I would read subsection 4 to you.

It says, "If the registrar of motor vehicles receives notice under subsection (1), he or she shall, at the next opportunity, refuse to validate the vehicle permit issued to the person who received the notice of failure to pay under section 14 and refuse to issue a vehicle permit to that person." Can you believe that? A private consortium is now going to decide whether or not you or I can have our motor vehicle permit issued. Unspeakable. Unheard of. It's a scandal. It's no wonder that members of the government are trying to push this piece of legislation through, because if the people of Ontario knew the scandal contained in here, they would be up in arms.

*Interjection.*

**Mr Caplan:** I'm surprised, because I know the people in Peterborough don't like having the power of the Registrar of motor vehicles to prevent them from receiving their permit to drive a car, to operate their motor vehicle, in the hands of a private company. I know that Al Leach and SNC Lavalin are laughing all the way to the bank. The member from Peterborough, if he had the guts, would stand up and he would protest this very same action. It is undemocratic. It is unfair.

**Hon Mr Stewart:** On a point of order, Mr Speaker: I take exception to the language being used in this House,

but then I look at the person who said it and I can appreciate the intelligence that he has when using that kind—

*Interjections.*

**The Acting Speaker:** I was just giving everyone a chance to get themselves composed.

That is not a point of order. The member for Don Valley East has the floor. I recognize the member for Don Valley East.

**Mr Caplan:** It's obvious I've touched a nerve. The people of Peterborough are absolutely disgusted by the actions of this government. I wish I had more time. I'm going to have to turn the debate over to my colleague from Windsor, but I will tell you this: Liberals will oppose—

**Hon Mr Stewart:** On a point of order, Mr Speaker: Why do these people, the opposition, make these statements that they cannot back up? Can they look in the mirror every morning and—

**The Acting Speaker:** That is not a point of order. That's more in the term of a question. Question period ended about a quarter after 3.

The Chair recognizes the member for Don Valley East. Your time is finished?

**Mr Caplan:** Yes.

**The Deputy Speaker:** Further debate? The Chair recognizes the member for Windsor-St Clair.

**Mr Dwight Duncan (Windsor-St Clair):** I appreciate having the opportunity to join the discussion on the time allocation motion respecting what is essentially a budget bill. I might add that it's another example of an omnibus bill that the government has brought forward in an attempt to make a number of changes to significant legislation. In the view of the official opposition, a number of the items in this bill ought to have had time to be reflected on themselves, and in a more proper fashion.

This bill, again, in large part implements the May 2001 budget announcements, including the corporate tax cut, which is now retroactive to October 1. In the finance minister's original budget, that corporate tax cut, which will leave our corporate tax rates 25% below our competitive and neighbouring US jurisdictions, the states of Michigan, Ohio, Indiana, Illinois and a number of other jurisdictions.

The view of the official opposition is that is just the wrong policy at the wrong time. That tax cut, in our view, is inappropriate. According to the Chair of Management Board, the government is faced with a deficit in the range of \$5 billion for this year. The government will argue that the corporate tax cut will serve as a stimulus. We don't agree. We believe that the opposite will occur. We believe that the spending that would have gone on in health care and education not only would have helped stimulate the economy but also, in our view, would have helped to address the pressing needs in our hospitals, in our home care system and in our schools. We think that fundamentally this is the wrong public policy to pursue at this time. Broad-based tax cuts of this nature, which will benefit the largest and most profitable of our corpora-

tions, will do little, in our view, to stimulate the economy. Oh, sure, it will improve the PE ratios of those corporations benefiting and I suppose it will help investment bankers in Toronto and New York sell a few more shares and issue debt; however, in our view the more prudent investment would have been in our hospitals, our health care sector and in our schools.

Another interesting act of this legislation that caught my attention the very first day the bill was introduced was the section that gives the Minister of Finance the ability to retroactively set education tax rates by regulation. Again, that's a delegation of the very fundamental authority of Parliament, of this Legislature, something that I know all members take very seriously, on all sides of the House. That is at the essence of how a Parliament should work. Now, this government is proposing that we set up a committee to look at how to empower backbench members and how to give members of the Legislature more authority. Yet while they do that on the one hand, on the other hand they take away what is at the essence of our parliamentary democracy: the ability to set tax rates. They give it to the minister to do by regulation and then finally they give him the power to do it retroactively. That, in our view, is just not good public policy.

The other thing that struck me was giving the Ontario Northland Transportation Commission the ability to cancel services with government approval and divest itself of assets. We believe this is the first step to ending the Ontario Northland railway, which will particularly harm northeastern Ontario and, again, it's something that ought not to be delegated away to a commission without proper legislative oversight. This will be the last time in a debating forum in this House where we can raise that issue. We will have the opportunity in question period, should the government decide to proceed with the shutting down of the Ontario Northland, but we will not have this opportunity again.

As I indicated earlier, this is a time allocation motion. The government is again stifling debate. There are 25 different acts being amended in this bill, and we've had very little time to consider. I will acknowledge to the government that some of these changes are relatively routine, but there are at least four parts of the bill that we feel should have been dealt with separately and with enough time to have meaningful debate.

This budget impacts on my community. Earlier this year, we lost a number of our Catholic elementary schools due to the government's funding formula. Our hospitals in Windsor—Hotel-Dieu Grace and Windsor Regional—have had significant deficits, not due to mismanagement, not due to inappropriate provision of care, but due to underfunding given the increase in demand for services and the nature of the services that are provided. It impacts on the separate school board in Windsor and Essex county; it impacts on the public school board in Windsor and Essex county. The funding formula that the education minister has foisted on this province forced the closure of W.D. Lowe tech, for instance, in the public board.

I talked about our hospitals. Our home care system: like members right across the province, I have seniors in every part of my riding who are not getting adequate care. They're not getting enough hours, whether it be visiting nurses, homemaking services or all the various services offered by our community care access centres. So we think the government's priorities are simply wrong. They ought to forgo the corporate tax cuts. Our tax rates are competitive now on the corporate side. Forgo those tax cuts, invest in education and health care, and certainly don't run up a deficit again or further increase the debt, which the Harris government has done in order to pay for these tax cuts.

With that, I yield the floor.

1730

**Mr Doug Galt (Northumberland):** It has been interesting sitting here for the last hour or so and listening to the rhetoric that has been flowing across these hallowed halls. I can't believe the kind of stuff I've been hearing. It's just terrible.

I was listening to the member from Timmins-James Bay talk about time allocation, and then the member from Don Valley East, the member from St Catharines and the member from Windsor-St Clair. When they get going on the same thing, over and over again, with nothing new to add to the debate, why wouldn't one get on with time allocation and get on with the bill, so we can get on with other bills? If you look at the actual record of what has been going on, time and time again, as you examine it, you'll find this government has spent more hours in debate on second reading than either of the other two governments—you know, that lost decade from 1985 to 1990 and 1990 to 1995—a tremendous number of hours spent on second reading, compared to what those two governments did.

Then you can move on to look at third reading. Some of the time they spent less than an hour, average, on third reading in some of their sessions. It was down to a few minutes. That's the length of time they spent. It's most unfortunate. Then every time a time allocation motion comes along, they get up with all kinds of rhetoric, "Oh, here it goes again," and they bemoan and carry on. If they had something new to add, I'm sure we'd give them more time to speak, but they're not contributing anything worthwhile, so it's necessary to move along.

I heard the member from Timmins-James Bay talk about next year's finances and how terrible they might be. Well, imagine where we'd be if we hadn't developed the kind of policy instruments that people like the Honourable Ernie Eves brought in back in 1995, with some of those budgets, setting an economic foundation for this province. I can imagine where we'd be today if Mr Eves hadn't done that back six or seven years ago, getting the province on to the right foundation.

I also heard the member from Timmins-James Bay talk about job losses in a downturn. He used a figure—I think it was 20,000 jobs or something like that. They lost, net, more than that when they were in government over five years. We're going through a downturn—absolutely,

no question. Will we rally out of it? I don't think there's too much question that we will indeed rally out of this in the not-too-distant future. But if we hadn't made some moves, guided by Mr Eves back a few years ago, imagine where we'd be if we hadn't established that foundation.

What a mess we found this province in, in 1995. In 1995 your party had two sets of books. We found out that the deficit and the debt were actually far greater than you were admitting in one set of books, but when we looked at the other set of books and we put the two together, we found out what was really there. They bemoaned that they were in bad times, that it was recessionary times. But I know of at least four provinces during that time, from 1990 to 1995, that actually balanced their books, got rid of their deficits.

This party went to over \$10 billion per year in deficit, spending more than they were taking in, but the province of New Brunswick, under a Liberal leader, McKenna, balanced their books. Out in Saskatchewan, under Romanow—an NDP government—they balanced the books in those recessionary times. But what happened in Ontario? Oh, no, they had to raise taxes, and with the increase in taxes, the revenue went down. You could see it on a graph.

*Interjection.*

**The Acting Speaker:** The member for Sault Ste Marie, come to order.

**Mr Galt:** Every time the taxes went up, revenue went down.

Of course in Manitoba they balanced their books—it's understandable, a PC government under Filmon. Also in Alberta, the Premier who received a lot of criticism, Mr Klein, was able to balance his books.

*Interjection.*

**The Acting Speaker:** Member for Don Valley, come to order.

**Mr Galt:** I've heard some of the comments from presentations across the floor talking about, "Stop cutting taxes," particularly the member from York South-Weston.

*Interjection.*

**The Acting Speaker:** Member for Don Valley East, come to order.

**Mr Galt:** It's just so obvious—

*Interjection.*

**The Acting Speaker:** Member for Don Valley East, I called your attention to come to order twice. You didn't hear it because you're still talking. I ask you to come to order.

The Chair recognizes the member for Northumberland.

**Mr Galt:** Thank you very much, Mr Speaker. I think it's important, since they don't understand what happens with cutting taxes, that you bring them to order so they'd be able to follow my comments. I could refer to the Laffer curve. We cut taxes and increased revenue. It's interesting to note that since 1995 until now we've increased revenue by \$15 billion per year. That's an increase of 50% in tax revenue in Ontario. That's the

turnaround that's happened here. Imagine if we'd continued the route of the lost decade, where indeed we'd have ended up. It would have been quite a mess because that deficit was continuing to increase.

I look at the federal government. They brag about their surplus, but where did that federal surplus come from? I can tell you where it came from, because they didn't have one, single, solitary policy instrument to help their economic circumstances other than cutting transfers to the provinces, such as in health care. Yes, I can understand them limiting the provinces. However, why did they end up with a surplus? It's because of the policy in Ontario that stimulated the economy, created jobs, put us on the map. As a result, we took in extra income, and they had to because they didn't cut taxes. It flowed in. I challenge the opposition, when they get up to speak in the remaining time they have, that they tell us the economic policy instruments brought in by the federal Liberals to contribute to balancing the budget and also ending up with a surplus. I challenge them to supply me with some of those changes in their economic policies.

I also heard a lot of talk about CCACs and home care problems. We've increased that spending by some 70%. As I talk about increasing spending, \$6.8 billion since we took office, a fair criticism of our government might be that we've increased spending by too much because we've increased spending in health care by \$6 billion while the federal government's actually cut health care. When the federal Liberals took over from Brian Mulroney, it was at 18% in health care. What have they been doing since? They dropped it all the way down to 11% and the Prime Minister's bragging that it's been brought up to 14%, 14 cents on the dollar. That's 14 cents from the feds and 86 cents from the province of Ontario for our health care system. They don't contribute anything to long-term care. They don't contribute anything to the drug plan. The other \$800 million has been spent on education. Also, to get the books balanced there was a streamlining within our government. We got rid of that deficit of over \$11 billion. That was \$1,000 per year for every man, woman and child in this province. They were spending more than was coming into the province of Ontario, and that was just a shameful record that we took over from.

It's so obvious what is going on, but they have not understood yet what happens with tax cuts. If you look at the Laffer curve that economists talk about, as you start moving up, yes, as you increase taxes, especially income tax, you get more revenue, but when you go over the top of the curve and start down the other side, as you increase taxes, as the NDP government found out: increase taxes, lose dollars.

1740

Look at the graph. It's there in the Ministry of Finance, so obvious, so clear. While you're over the top, and we were in Ontario, and you cut taxes, you increase revenue.

If you look at something like PST or tax on assessment, like municipalities, there's no elasticity of demand,

no elasticity of supply. It's on the land, it's on the property that's real property, and it can't change. So as those revenues come in, if you cut it, yes, the revenue goes down. If you increase it, yes, the revenue goes up. But it is very different when it comes to income taxes, when it comes to corporate taxes.

Coming back for a moment as I wind up in the final minute here, I think it's important that we talk just a little bit about health care, about the Canada Health Act. The only area in Canada that I see respecting the Canada Health Act is the provinces and the territories. The federal government has no respect for the Canada Health Act whatsoever. If they did, they would be contributing their 50%, as it started out back around 1970. The federal government is beating the province of Ontario by \$7 billion in health care every year—\$7 billion. If we could even get back to the 18% of Brian Mulroney's era, that would be another \$2 billion, and that would be half reasonable. I challenge the members on the other side of the House to come up with an economic policy instrument that the federal Liberals have brought in to help their economic affairs.

**Mr Gerretsen:** I would simply suggest to the member opposite to take a look at their own financial document on which this bill is based and see how much more money the federal government has been paying to Ontario under the Canada health and social transfer and its supplement over the last two years and compare that to how much more money you're putting into health care, and you will notice, sir, that you are not spending one penny more yourself. The only money they're spending more of is what has been the increase in transfers from the federal government for the last two years. That's point number one.

The second point is that we are dealing here with a time allocation motion. The record is quite clear that you have used closure in this Parliament, in this House of democracy of the province of Ontario, more often in the last six years than all the other governments previous to that, going right back to 1867. You have used closure more often in six years than was done in the previous 130 years.

You will say, "You know, there used to be a lot more time spent in the late 1980s and early 1990s on the various bills such as budget bills." I would again ask you to check the Hansard record. The reason those debates weren't any longer than the hour or two you refer to is that there was no debate on them; nobody wanted to say anything further. It wasn't done by way of closure or time allocation. Those are the facts. The facts are that you are making a mockery of our democratic system by invoking closure on each and every bill.

Rather than having your House leader, our House leader and the House leader for the third party get together, work out a scheme whereby certain bills will be given more time than other bills, you are using the might of your majority by invoking closure on this House over and over again.

The fundamental problem I have with this bill is the corporate tax cut. The one aspect that really bothers me is that the government decided, in order to deal with the situation that arose province-wide, country-wide and worldwide as a result of the September 11 situation in New York, to implement its tax policy of corporate and personal tax cuts by moving that forward another three months, from January 1 to October 1. It was done on the basis that this would somehow stimulate the economy.

What's really interesting about it is that when it comes to the personal income tax side, it cannot even be implemented until after January 1. So I don't know how a speeding up of the tax cut process is going to benefit the economy today if in fact you can't even implement it until the new year.

What did we lose by that? What did the government lose by way of revenues there? It's losing \$175 million, and isn't it interesting that that just happens to be the amount that the community care access centres, the people who provide our home care, our nursing care, for people who are being released from hospitals sicker and quicker, are short this year?

The minister will say, "We're not cutting anybody from last year." The fact is still that what the community care access centres are asking for is exactly the same level of funding they got last year, not that they budgeted for last year, because they got a payment after they all ran over to some extent last year because of the much-needed services in our communities; all they want is the same amount of money that they got last year. That's a fact. So what is the government doing? Rather than dealing with the situation whereby our vulnerable, our elderly, who need home care, need nursing care, the sick who are released from hospitals quicker so that they can get the kind of support system this government promised—you promised. When you closed the hospitals, when you closed a number of beds in hospitals, you said, "Look, we will still be able to look after these people because we will take the money we're taking out of the hospital system because of the closure situation and we will put it into home care." Well, you haven't done that. Talk to your own people who need services from the community care access centres. So what did this government do? Rather than dealing with that situation, it is now firing the community boards, as if that somehow is going to deal with the financial situation.

What else is it doing? It is firing all the executive directors who have been hired by these community boards and it's basically saying, "From now on the executive directors of the community care access centres will be appointed by us by order in council." You are politicizing our health care system, because you know as well as I do that those individuals you're going to appoint to head up these various community care access centres across the province now somehow feel beholden to you, that if they don't do your bidding, you will fire them on the spot. That is an awful indictment. It is no different than if you decided to hire every executive director in our hospitals by way of order in council. It is a very callous

and cynical move that isn't going to accomplish anything.

The community care access board that we have in the Kingston area is made up of outstanding citizens, and undoubtedly the same thing goes throughout this province in exactly the same way. Why are these people, who have spoken up for their communities, for the people who need the services in their communities, being fired? Because you don't like what you're hearing. You don't like the fact that you're not providing them the amount of money that is required for them to look after these sick people.

That is the really, I would say, cynical part, but it's the unfortunate part as well. If we had just left your tax cut timetable in place, with which we don't agree, but you had implemented that earlier, there would have been enough money for us to deal with the people who need those much-needed services from our community care access centres.

It is on this ground and many other grounds—by the way, there's no committee time for this bill, even though it affects 25 different ministries. It is on this ground alone that this bill fails. It should not be passed, and you should not proceed with this time allocation motion.

**The Speaker (Hon Gary Carr):** Mr Baird has moved government notice of motion 97. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1749 to 1759.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Guzzo, Garry J.	Newman, Dan
Baird, John R.	Hardeman, Ernie	O'Toole, John
Barrett, Toby	Hudak, Tim	Ouellette, Jerry J.
Beaubien, Marcel	Jackson, Cameron	Runciman, Robert W.
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clement, Tony	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Stockwell, Chris
DeFaria, Carl	Marliniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Maves, Bart	Tilson, David
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Miller, Norm	Wettlaufer, Wayne
Flaherty, Jim	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Munro, Julia	Wood, Bob
Gilchrist, Steve	Murdoch, Bill	
Gill, Raminder	Mushinski, Marilyn	

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Bartolucci, Rick	Dombrowsky, Leona	Martin, Tony
Bisson, Gilles	Duncan, Dwight	McLeod, Lyn
Bountrogianni, Marie	Gerretsen, John	Patten, Richard
Bradley, James J.	Hampton, Howard	Peters, Steve
Brown, Michael A.	Hoy, Pat	Prue, Michael

Caplan, David  
Cleary, John C.  
Cordiano, Joseph  
Crozier, Bruce  
Curling, Alvin

Kormos, Peter  
Lalonde, Jean-Marc  
Levac, David  
Marchese, Rosario  
Martel, Shelley

Ramsay, David  
Sergio, Mario  
Smitherman, George  
Sorbara, Greg

**The Speaker:** I declare the motion carried.

This House stands adjourned until 6:45 of the clock this evening.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 29.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 28 November 2001

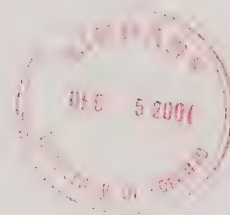
Mercredi 28 novembre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 28 November 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 28 novembre 2001

*The House met at 1845.*

## ORDERS OF THE DAY

### COMMUNITY CARE ACCESS CORPORATIONS ACT, 2001

#### LOI DE 2001 SUR LES SOCIÉTÉS D'ACCÈS AUX SOINS COMMUNAUTAIRES

Mrs Johns moved second reading of the following bill:  
Bill 130, An Act respecting community care access corporations / Projet de loi 130, Loi concernant les sociétés d'accès aux soins communautaires.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I want to start off tonight by saying that I will be sharing my time with the member from Simcoe North and the member from Northumberland.

It's a great pleasure to be here this evening, to be able to talk about health care and the important prominence that the government puts on health care for the citizens of this province. Health care for our citizens is a prime concern of this government. Since 1995 we have made significant changes in the health care system with the intention of enhancing services and of improving the lives of the people who require assistance and require health care in the province and—

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: Would you check if there's a quorum for me to hear the minister's inaccurate claims?

**The Acting Speaker (Mr Bert Johnson):** Would you check and see if there's a quorum present.

**Clerk Assistant (Ms Deborah Deller):** Quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** Quorum is now present.

**The Acting Speaker:** The Chair recognizes the minister from Huron-Bruce.

**Hon Mrs Johns:** As I was saying, the health care of our citizens is the prime concern of this government. Since 1995 we have made significant changes in the health care system with the intention of enhancing services for the people of Ontario and with the intention of improving lives for the people of Ontario who require access to health care systems in the province.

Home care is an integral part of the health care system that we have been working on since 1996. In 1996, we

created the community care access centres. We have consistently sought in that time to ensure a strong community care system where the right people receive the right services at the right time. For that reason alone what this government has done is increase funding by these CCACs. When I talk about this in my community, my community talks about the remarkable increases. Having moved in many areas across the province, on average across the province, funding is up 70% since 1995. Right now in the province of Ontario the taxpayers, through their provincial government—I can say the provincial government alone because the federal government isn't involved in home care—provide \$1.17 billion to home care in this province.

1850

I think you would recognize and agree with me when I say that this is positive proof that this government has a commitment to home care, because we take very seriously how we spend and how we use precious tax dollars. So when we double the funding for homemaking in the province of Ontario, you can see that our commitment to homemaking is very substantial.

Clearly the government values this critical role of CCACs or community care access centres; I'm going to be talking about CCACs today. After all, we created them, we're funding them and we saw them become increasingly confident as one-stop shopping areas that provide access points for people who need services in their home.

Still, CCACs are very young organizations and time has revealed a number of flaws in design that require some changes to be made. That's really what this bill tonight is about. This bill is about making the CCACs sustainable into the future so they can achieve their potential as a key element in the health care system.

Furthermore, marrying different entities into one organization, as we did in 1996, and in some cases changing direction in the way things are done, has not been easy for the CCACs over the past few years. Consequently, while many CCACs have worked extremely well, others need further support and further direction. In fact, the CCACs have in the past asked our government for standards, directions, benchmarks and improvements regarding their operations. We have every intention of moving forward with those as well.

Subsequently, we initiated one province-wide program review of CCACs, and a second specific operational review in the Hamilton-Wentworth area. The province-wide review, which was conducted by Pricewater-

houseCoopers and released this past summer, found a number of areas where CCACs needed strengthening in order to meet their mandate of serving Ontarians efficiently and effectively. These areas included financial accountability, fiscal practices and quality management strategies.

Similarly, when the operational review was done in Hamilton-Wentworth, it revealed a number of deficiencies on the part of that specific CCAC. The review said there was evidence that there was minimal understanding of the factors contributing to the Hamilton CCAC deficit and that its board had a critical shortage of members with business skills or experience. As well, effective monitoring or management of service utilization and caseloads proved to be lacking, which in the end led to the ministry appointing a designate to manage the operations of the CCAC and to ensure the implementation of the review's recommendations.

The revelations of these weaknesses, combined with the rising drumbeat of publicity about CCACs' shortcomings, had us act. There were many comments about the inequity or the equity of service delivery and the lack of accountability. In some circles, we even heard increased demands for no-strings-attached funding. From that, we decided we had to act.

Yet the very nature of the difficulties shown by Price-waterhouseCoopers and the Hamilton operational review suggest that money alone is not the answer, is not the obvious solution to what is ailing the system. You will hear that tonight from the opposition, but I wish to stress that it is not the complete answer to the problem. We need to work with these CCACs to prepare them to be sustainable in the future.

In the last few weeks there have been a lot of articles about CCACs in the papers. I just want to say that one of the papers, the Windsor paper, was talking about one of the members. The Liberal MPP for Windsor West once organized a public meeting to heap scorn and criticism on the local community care access centres. She said, "The accountability of that organization is probably the worst in the whole health care system." What it goes on to say, of course, is that since that time she's forgotten she said that and the paper wanted to remind her.

I think we all recognize that many of the good CCACs have come through a really early stage and are working toward maturity but need some help with some areas. So what Premier Harris decided to do was to look at a strategy that would enshrine the CCACs for us in our health care system; that we could make the changes that were necessary and implement what needed to be implemented system-wide in order to gain the greatest benefit for the greatest number of people who are served by these wonderful organizations. No one on any side of this House wants another Hamilton because a second CCAC has somehow slipped through the cracks of reform.

Therefore, today we have taken further steps in the evolution of Ontario's home care system by calling on the Legislature for approval, in principle, of the Community Care Access Corporations Act, 2001. During the

development of this system-wide strategy, my office met with a number of people who had comments and concerns about CCACs, as did my colleagues. MPPs from all across the province met with stakeholders in the health care system and consumer groups and heard many comments about the CCACs. The end result of all of us coming together is Bill 130 and a number of subsidiary actions that I am outlining today that we are prepared to undertake at the Ministry of Health.

When I talk about Bill 130, I need to say that this act would take us further along the home care road by improving the accountability, the consistency and the coordination of CCACs across the province. It will result in a more equitable and efficient delivery of services to the people of Ontario.

Let me take a few moments to refresh memories of what motivated this Legislature to approve the creation of Ontario's current 43 CCACs which came into operation in January 1998.

**Mr Caplan:** On a point of order, Mr Speaker: Could you check once again to see if there's a quorum present to hear the minister's inaccurate claims?

**The Acting Speaker:** Could you check and see if there is a quorum present.

**Clerk Assistant:** Quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** Quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the minister from Huron-Bruce.

**Hon Mrs Johns:** Before I was interrupted, I was talking about the creation of the CCACs back in 1998. The CCACs became a simplified point of access where 400,000 people across the province come every year. What they do in that time frame is arrange for visiting health and personal support services in people's homes, especially for hospital discharge patients; they authorize services for special-needs children in the schools; they manage admissions to long-term-care facilities; they provide information and make referrals to the public about other community agencies and services that are available in our communities; and they provide, they purchase, the highest-quality and best-priced services from local, not-for-profit and profit agencies and providers through a request-for-proposal process. These services that they contract include nursing, physiotherapy, occupational therapy, speech-language pathology, dietician services, social work and personal support services.

**1900**

I wish to stress that under this act these services will still be provided. They will still remain untouched. The contracts that have already been accepted will still remain within the organization. In truth, we hope there's a more consistent, province-wide approach to policies and priorities by the CCACs as envisioned in this bill. This would lead to system-wide improvements in the provision of these services to the people in our communities who are in need of them.

I'd like to take a moment now to reiterate some of the key areas that are proposed in this legislation. They

include the authority to designate by regulation each individual community care access centre as a statutory corporation. It also includes, following the designation of a CCAC, the authority to appoint board members by orders in council; following the designation of a CCAC again, the authority to appoint its executive directors by OIC appointments and the authority to determine the number of CCAC board members by regulations.

New accountability responsibilities that would be required of each CCAC include: creating a strategic plan to meet the government's visions and objectives to provide quality services to the community; establishing accountability relationships throughout the organizations; developing evidence-based performance indicators to evaluate the performance of CCACs; and regular and consistent monitoring and reporting to ministry offices on CCAC activities, including budget and service outcomes. Also, they include strengthening our service agreements with CCACs to ensure consistent expectations and clear requirements in their operation.

I want to start with the last point. Under the act, and following designation, CCACs would be required to comply with all ministry policies, directives and guidelines. After all, the Ministry of Health uses taxpayer dollars to fund community care access centres, and we want to ensure that the policies, directives and guidelines of the Ministry of Health are there to ensure that services are provided to the people of Ontario.

In addition, there will be provincially developed orientation and education programs on ministry policy and strategic directions, fiscal accountability and stakeholder relations for all community care access centre board members and the executive directors.

Each community care access centre board would also be required to establish a community advisory council to promote and enhance the integration of CCAC services with local long-term-care facilities, hospitals and other community support service agencies. Considerable discussion has arisen about the linkages that should exist between all health care providers in a community and the role each must play to ensure that we have quality health care. These advisory councils are part of the solution and need to be there. They will meet regularly and develop strategies that would ensure that the council health care providers are well informed and clear about each of their roles so that they neither duplicate one another's efforts nor leave gaps in the system.

The advisory council will bring together organizations in each local community both upstream and downstream from the patient's movement through the CCAC. The council would formally be a committee of the CCAC board and would be chaired by the CCAC board member. As I said before, the advisory councils would include hospitals, long-term-care facilities and community support service representatives who understand and are best able to address system operation issues in order to serve the people of this province. The council would help the hospital and the CCAC work together to ensure that we have a smooth transfer of patients moving from the

hospitals. As well, it should help ensure the placements in long-term care facilities so that they happen on a more timely, less bureaucratic basis. The council can be seen to be an important step in the growth and the development of an integrated, seamless community care system.

The ministry has further proposals in mind that, while they do not in and of themselves require legislation, could well be implemented much more smoothly because of the governance changes that we're making in this legislation. We would implement a province-wide system that supports the CCAC case manager in the management of budgets for their caseloads. The case manager's role right now is to ensure that people get the services they need. In the future, the case manager's role would be to clarify through province-wide education and the introduction of common best practices in the CCACs the opportunities that are available for the people of Ontario. As I said earlier, there is to be no change in the current request for a proposal process for services, but we would improve training, strengthen community care access centre business expertise in contract management and bring a province-wide, consistent approach for service providers as they contract with the CCACs.

We also propose as a result of the changes that we're introducing today to change placement coordination processes to streamline the procedures and ensure that the right people access the right service at the right time in a long-term care facility. These changes that we make will reduce admission delays, create more accurate waiting lists and ensure that those who most need placement in a long-term care facility will have the priority access to that service.

As well, the advisory council will be a useful additional venue to help problem solving around system barriers between community care access centres and the long-term care facilities. We intend to move forward with a province-wide information system so that we can compare the results of CCACs throughout the province of Ontario. With this system we will have common and comparable data, and that is important to the sustainability of community care access centres across the province. This will ensure that services are being provided to people in their communities as efficiently and as effectively as possible.

This will also allow us to focus precious health care dollars upon client needs: our first priority in today's legislation. We'll also be developing best practices and benchmarks based on performance measures. The last three years have shown us that changes have to be made to CCACs if they are to achieve their potential as a key part in Ontario's health care system. Challenges created by an inequitable service delivery and under-developed accountability mechanisms: each of those will be addressed.

Let me stress that as a result of all our discussions, we chose in Bill 130 a minimum response to meeting our objectives. Some wanted us to turn the home care delivery over to hospitals. Others across the way, I can say, want us to move them to public health. Others

wanted us to submerge CCACs into a regional health authority. But we believe that there's a future for community care access centres in each of our communities and hence we will move forward with the bill that we have today. We believe we chose the option that will be the most effective and the least disruptive of CCACs' primary function, and that is to provide customer service to the people of Ontario.

I want to emphasize the collective will that characterized our work. Political will was matched with bureaucratic dedication, the deep commitment of the CCACs and the service providers and, most importantly, by the anticipation of clients and their families that we could make a difference if we went in and made some changes to community care access centres. These collective thoughts forwarded the momentum that we have been working with to ensure we have legislation which will allow us to go forward.

1910

When and if this legislation becomes law, we intend to move as expeditiously as possible in confirming the selection of the board members and the executive directors. We intend to ensure the continuity of expertise through the reappointment of both a significant number of present chief executive officers as executive directors and a significant number of old board members as new board members.

We fully intend to retain significant and much-valued community representation. There has been a lot of talk about that in this House. We had many options to take community care access centres out of the community, but we decided to appoint community care board members from the community, which I have guaranteed in the House to do. We guaranteed that we would use representation that had a business base, that had a base in health care, that we would take a wide, broad brush to ensure that we had strong community representation. We will also ensure that every board member has the same strong skill set that will enable us to answer the PricewaterhouseCoopers criticism that CCACs lack effective mechanisms to ensure accountability.

Let me turn now to the makeup of the board. We're still working on the composition and the number of board members we believe we would need to achieve our best home care objectives. As I said earlier in this House, I personally believe that the optimum size for the board is five to seven members. However, the current legislation does not specify the minimum or the maximum number of people on the board. I have told the association for community care access centres that we are open to suggestions and opinions about the numbers. Some of the reasons why others have suggested more board members may be more committees within community care access centres. We're having a look at that to ensure that we help CCACs to be able to do the jobs they need to do internally.

This government has an abiding commitment to the equitable, efficient and seamless delivery of health care in the province, and to a system in which the roles of all

partners are clearly defined and implemented. At a cost of \$1.5 billion a year for all community care—with the CCACs' portion being, as I mentioned earlier, \$1.17 billion—no one can doubt that community care is a top priority for this government.

I might add that I wish home care received the same priority from the federal Liberal government as it does from our government. The Liberals promised, in their red book in 1997, a home care tax credit. They promised they would do that. As of this time, we have not seen that. That certainly is a disappointment to all Ontarians.

**Mr Ted Chudleigh (Halton):** Another Liberal promise.

**Hon Mrs Johns:** Another broken promise from the red book.

In 1998, Health Minister Allan Rock conceded the Liberal's failure to deliver a home care program even in jurisdictions for which Ottawa is responsible, such as aboriginal communities. At the same time, he claimed to want to bring a national perspective to home care—a national perspective, but no dollars. The Liberals have always been good at talking the talk. Getting them to walk the walk, however, seems to be like herding cats. For all of us in Ontario, that should be a big disappointment.

Here in Ontario, in Bill 130, we have worked hard to create a solution that will fit all CCACs and that will enable us to spend this money on home care services in an equitable, consistent and reasonable manner. For instance, most of us in government agree that we need such things as a common assessment tool and a budgetary approach to case management. We firmly believe that the new governance structure will help us get there faster and better. A best practices model for CCAC governance will be useful here, as it will for placement coordination services, contract management and case management approaches that we favour.

We will make every effort to consult and collaborate with both the old and new board members, as well as the executive directors, so we can make a smooth transition and maintain quality health care in the province.

This new legislation is the tool that will enable us to work together more efficiently and effectively to serve the needs of the people of Ontario and their families in need of home care services.

Let me stress that there is nothing more crucial to the citizens of this province than the assurance of quality health services delivered by health providers who are accountable to Ontario's taxpayers for how their health care dollars are being spent. The steps we're taking will strengthen the accountability, consistency and coordination of home care service delivery at CCACs all across the province. Bill 130 is essential to the operation of the community care access centres as well as ensuring that CCACs meet their mandate effectively and efficiently.

Now I'd like to turn to some of the specific suggestions for amendments that I've heard about for this legislation. Many of these were made by the Ontario Association of Community Care Access Centres. I way to

say, first off, that I value the association's input. We have been accumulating information from lawyers and others to look at the concerns they raised. First of all, I thank the association for bringing them forward. I thank them for their understanding and support in the concept of moving to province-wide standards. I have not reached any conclusions yet with regard to the suggested legislative amendments, but I await a commitment from opposition members regarding the amendments and the time constraints that we have on this bill.

Let me deal with each amendment individually and indicate the response of the ministry lawyers to the need for the amendment.

First, the association suggested that members of CCAC boards and employees of CCACs should be given personal protection—or immunity, if you prefer—for acts done in good faith, like that which exists for crown agencies such as district health councils. The lawyers note only that under this legislation, while CCACs would become statutory corporations, they would not be crown corporations. CCACs would retain the power to purchase liability insurance in much the same way as CCACs do right now, the same as board members at public hospitals already do. That doesn't need to be enshrined in legislation.

Second, the association has expressed concern about the lack of corporate continuance language in the legislation. The association suggests that the continued existence and enforceability of contractual agreements and existing liabilities is legally uncertain. The ministry has had a number of opinions about this from a legal perspective and believes that the continuation of CCACs is described in the legislation and that such an amendment is unnecessary. I just need to quote the section here. The section they speak to is subsection 4(1). It's called "Continuation of designated corporations." "On the date specified in the regulation in which a community care access corporation is designated under section 2, the corporation is continued as a corporation without share capital under the name or names specified in the regulation." The lawyers at the ministry believe that will cover their concern in that area.

Third, the association sees a need for the membership of CCAC boards to reflect the diversity of their local communities and the clients they serve. It is concerned that this goal is not specified or set out in legislation. Let me be clear about this legislation that I'm introducing today, that this government is introducing today. There is no intention here to diminish community representation upon these boards. In fact, considering the small size of the membership in current CCACs—I want to talk about this for a minute. Right now we have membership in 43 CCAC boards, and that's the accountability mechanism. In each of those CCACs we have membership of between 25 and about 200, maybe 300, at the maximum. Our changes would ensure that there is more accountability to the public. First of all, there would be a process where all the financial statements and the money that was spent would have to be shown to all people in the community.

The meetings with respect to the board members would be open and public. We would be able to broaden the outreach that we have in the community. Should this bill become law, we shall advertise for board members, if and when they're necessary. Current board members, many of whom do an exceptional job within their local communities, are both welcome and invited to apply.

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Fourth, the association wants the executive director to be an employee of the board rather than of the board and the ministry. I can only say in response that it is the government's position, as expressed by many of us on this side, that executive directors must also be responsive to ministry programs and policies, as well as board priorities. We believe that executive directors can be responsible to both and can provide the best quality care to the people of their community. In short, the executive director will be appointed and their terms of employment set by the government, while the board will be their employer and provide direction to them. As the legislation says, the executive director "is responsible for the management and administration of its affairs, subject to the supervision and direction of its board of directors."

Fifth, the association is concerned that transition measures outlined in the bill would paralyze the daily activities of the community care access centre. It would like to see its concerns in this regard answered through a series of amendments. Let me assure everyone first off that none of these transition powers are intended to disrupt the day-to-day operations of the community care access centres. Most of the powers are what lawyers have called risk management measures. They are common in any governance structure which is in transition. They are not specific to CCACs. They have been used as transition legislation for children's aid societies, school boards and municipalities going as far back as 70 years and going back to all three parties that are here in the Legislature. The important point here is to ensure continuity of service to the people that both the provincial government and the CCACs are here to serve. In that regard, we will be flexible and we will move quickly with transition matters. In this issue, it is the ministry's preference to allow the legislation to stand as is while the ministry will provide guidelines to the CCACs with respect to transitional matters. We're happy to work with the association to that end.

Last, the association is concerned that Bill 130 will allow the ministry to collect personal information. The ministry respectfully disagrees with this since the ministry is governed by the provisions of the Long-Term Care Act, 1994, in regards to the collection of personal information. Specifically, I draw everyone's attention to section 64.

Specific amendments aside, I need to draw attention to something else which the association and many individual board members and CEOs have made quite plain to me. They have suggested that an end to uncertainty is probably the most important single action we can do to make life easier for existing CCAC board members and

their CEOs. Should amendments result in greatly extending the time required for this bill to become law, any potential gains from the amendments could be outweighed by the cost of delay. These are factors that must be weighed in any final decision regarding amendments.

In conclusion, let me state plainly that the government believes this act would, when fully implemented, help community care access centres make more efficient use of taxpayer money, while ensuring effective and timely service to the public. We intend for all CCACs to be successful at the task for which they were created: the coordination of a delivery of home care services for the people of the province of Ontario. In short, once we receive royal assent, if we do, the provision of client service would remain as it is now: the highest priority for this government.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise this evening and speak to Bill 130, the Community Care Access Corporations Act, 2001. I want to thank Minister Johns, and then the Premier for appointing Minister Johns to take on this special task which is very, very important to all citizens of our province.

I'd just like to give you a little bit of my history with home care and community care access centres. I think it's important that we put some of these things on the record as we're debating this legislation. Before the phrase "community care access centre" was made or formed, most of the home care and homemaking services in the province were provided, in many cases, by our boards of health. I sat as a member of the Simcoe County District Health Unit, as a board member and an elected representative, for five years in the mid-1980s. Of course the reason for the home care program and why it was originally formed with 100% funding by the province—and it's been 100% funding from day one, although it is a health care service—is to keep people out of our hospital beds. Getting surgery out of the way and allowing someone to recuperate in their own home was very important. Back in the mid-1980s, in our Simcoe County District Health Unit, we saw this program—home care and homemaking—as a division of the board of health. I thought it worked very well at that time. The budget was one of our largest as far as a division: it was about \$6 million, I think, around 1985. Today, for that same program they're requesting \$42 million.

But I've got to tell you that there was always a movement with the administration of the home care and the homemaking program to remove that from the board of health. I thought the board of health was created in a very special way. In Simcoe county we had four county councillors appointed to the board, a council member from the city of Orillia, a council member from the city of Barrie and two provincially appointed representatives. I was always pleased with the way it was administered and I'd hate to think that maybe we made a mistake in going in that direction by changing that.

I was pleased with the way it operated. It was always increasing every year—we'd see a growth in that—and it kept people out of our hospitals, because at that time we

also had a pressure on our local hospitals. Simcoe county is a large county in the province, but it's also representative of a very diverse part of the province and represents the problems that have existed in the province as a whole. We were looking at growth. We looked at the Royal Victoria Hospital in Barrie—they were looking at an expansion there; the Orillia Soldiers' Memorial Hospital—expansions; the Collingwood hospital; the Midland; the Penetang; and the hospital at Alliston. All were looking at planning growth and the beds were at capacity. In that time frame—since 1985 to now—we've done some of the redevelopments and a lot of the hospitals have expanded. But the fact of the matter is that without the home care program we couldn't have existed, and it worked out very well.

I've watched that program leave the board of health and become another separate board of administration under the community care access centres that we see today. As I said earlier, it's gone from about \$6 million operating in 1985 to about—the request this year was close to \$42 million. I have to tell you that I've watched with a lot of care what's happened in the freezing of the budgets this year, looking at the Price Waterhouse study, looking at the new act that's been introduced and that we're speaking on and debating this evening. We have to have a good home care program, but we also have to be able to control the spending because it is provincial dollars and we are contributing 100% of those dollars at all times.

I talked earlier to Minister Johns and I know there was certainly a movement at one time by the federal government to actually include a national home care program in one of their budgets. I understand that they still would like to do that at some point, but meanwhile we do have a wide cross-section of home care services across our country. There's no consistent program from one province to the other, although I do know that of all the provinces, the most money per capita toward the community care access centres that we see today is coming from the province of Ontario.

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I wanted to make a few other comments before I turn it over to the member for Northumberland. First of all, I have to say to you that Ontario's community care access centres initiative simplified access to community-based services for all Ontarians. It is important to our government, and I think it's important to every member of this House and every citizen of this province. It's amazing how many of us—the demographic we represent here today; the average age of the MPPs here—have senior citizens, grandmothers, grandfathers and parents who have required the assistance of community care access centres, and we certainly do appreciate that.

One comment I wanted to make was that I personally have tried to work very closely with my community care access centre. I know that the executive director, Mr Robert Morton, is also the chairperson of the Ontario Association of Community Care Access Centres. Almost immediately after Minister Johns was appointed to head

up this committee, I had Bob Morton down to visit Minister Johns. I hope that some of those meetings have been productive and have helped work toward some positive feedback, and hopefully we'll work this out.

As you know, we strongly support the accessibility of a wide range of services under one roof, and that's why it became one-stop shopping—we've heard that term used in a number of places. Furthermore, we support helping the elderly, medically fragile children, people with disabilities and those who are chronically ill to remain in the comfort of their homes as long as possible. I guess that's simply because we do not really have the space in our hospitals. It's been a problem—

**Mr Caplan:** You closed the hospitals.

**Mr Dunlop:** I mentioned it earlier. You know full well that we haven't closed them. You know full well that you closed the hospital beds and left the lights on in the buildings, and now you have the nerve to stand here tonight and heckle across the room that we closed hospitals.

*Interjections.*

**Mr Dunlop:** You closed the hospital beds and simply left the lights on in the buildings—one more inefficient way you do business, very simply the same way your federal cousins do in Ottawa. Promises, promises and nothing but that is all you can deliver.

The community care access centres offer access to community-based services, home care, long-term-care facilities and hospital discharge programs under a single umbrella. But even as we speak today on this bill, there are still definitely problems with the organizational ability of the one-stop-shopping or one-roof approach. I think I had enough complaints over the two or three years prior to the introduction of this bill. I definitely have concerns about the administration, how these programs are handled.

Every month, thousands of Ontarians receive home care services ranging from physiotherapy to nursing care to personal support services through their local community care access centres. We as a government have demonstrated our continued support of CCAC initiatives through our funding. Since we took office in 1995, funding for home care has increased to approximately \$1.1 billion, a growth of more than 70%. I don't know what other program, of all the provincial programs, has received that kind of increase in the last five years.

Just over a year ago, we announced permanent new funding of more than \$70 million for community care access centres. Remember, when we took this program over from our colleagues across the floor, it was a little over \$600 million. So the amount of money that's gone into this has almost doubled in that time. I know you're not happy with it, but let me add something else. In the five years you were in power, you increased it about \$120 million, a lot less than 70%. So, we're talking about the growth here. We're talking 70%; you're talking about the 25% you increased the funding in the five years the New Democratic Party was in power.

**Mr Caplan:** You closed the hospitals.

**Mr Dunlop:** No. Again we're back to the hospital closing issue. Isn't it amazing? So you're telling me here tonight—

*Interjections.*

**The Acting Speaker:** Order. The chair recognizes the member for Simcoe North.

**Mr Dunlop:** Thank you very much.

We restructured the hospital system. We didn't close beds. We didn't leave lights on, electricity, cleaning staff to do the halls. If you want a list of the hospital beds, we'll provide it to you. If you want a list of the inefficiencies you left in the system, we'll provide that to you as well. It's not too hard. We had 10 years—the last decade.

*Interjections.*

**The Acting Speaker:** Order. When there are two of us standing, one of us is out of order and it's not me.

We can wait for a while if you would like to talk back and forth. Just tell me when you're finished and I'll proceed.

The Chair recognizes the member for Simcoe North.

**Mr Dunlop:** The purpose of the community care access centres is to deliver one-stop shopping for community or home care. Community care access centres, like any other operation of government, must function within their budgets. They cannot budget for deficits and automatically expect the province to provide extra funding. That is not good fiscal management. I should point out that last year 18 of the 43 community care access centres did have deficits. The community care access centres and community support budgets, as I said earlier, are about \$1.1 billion to \$1.2 billion since 1995 and funding has increased by 72%.

The current funding freeze—and I should point out that there have not been any cuts to the base funding—will remain the same until such time as some of the growing pains that appear to be stopping the ability of the community care access centres to provide fast, efficient and targeted services are resolved.

Some information already exists. The government commissioned PricewaterhouseCoopers to examine community care access centre programs. That report was released in the spring and showed wide variation in community care access policies and practices. There are inconsistencies in the processes used to access and monitor community care access customers.

*Interjections.*

**The Acting Speaker:** Maybe I misunderstood the rules of this House. I thought that when I gave the floor to someone, they were entitled to speak without interruption, without somebody shouting at them. If I have it wrong, let me know. But other than that, you're trying my patience. I'm usually very congenial and easy to get along with and so on. I've got a little bit of a cold and I'm not in good humour and so on. But try me again; I may not throw you out.

The Chair recognizes the member for Simcoe North.

**Mr Dunlop:** I'll close up very quickly here.

An analysis of the cost of services in different community care access centres—and this goes back to the PricewaterhouseCoopers survey—showed wide variations in how much it takes to deliver a unit of service. I'd ask you if—and I'm not going to get into it tonight; the member from the opposition can ask the member for Parry Sound-Muskoka. He can give you examples of two community care access centres in his particular riding and the wide variation in the prices and who's doing the complaining and who's doing the work and running a very efficient and clean operation.

My time is up. I just wanted to take this opportunity to thank Minister Johns for bringing forth this legislation. I look forward to the debate continuing on here this evening. I know it's a very emotional issue. We need these centres, and we need them operating as efficiently and productively as possible to serve the needs of all the citizens that we want to keep out of hospital beds and in their homes in a family-like manner. Thank you for the opportunity to make these comments this evening.

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**The Acting Speaker:** The Chair recognizes the member for Mississauga South on a point of order.

**Mrs Margaret Marland (Mississauga South):** It is a point of order, Mr Speaker. Can you advise me whether we are doing questions and comments in this session this evening?

**The Acting Speaker:** No.

The Chair recognizes the member for Northumberland.

**Mr Doug Galt (Northumberland):** In the last 30 seconds or so of this delivery, I'd like to share with you something that I came across, I believe it was in a Windsor paper, headed, "Thorn." It says, "Sandra Papatello: The Liberal MPP for Windsor West once organized a public meeting to heap scorn and criticism on the local community care access centre. 'The accountability of that organization is probably the worst in the whole health care system,' she declared. Papatello forgot that last week when the provincial Conservatives returned control of the troubled agencies to cabinet. They did so to make the CCACs more accountable and end their huge deficits. Now she claims this is a 'muzzling' of local voices, and pure 'vindictiveness' on the part of the government. If Papatello wanted what was right for her constituents, she would support the government on this initiative."

**Interjection:** What newspaper is that?

**Mr Galt:** It's from her local newspaper right in her hometown. I would think she would follow that editor's advice and support the government on this particular issue.

I was interested in hearing the member for Simcoe North talking about the 70% increase that the CCACs have received since we took office back in 1995. I want to stress a point: that's with no help from the feds. There isn't five cents flowing to long-term care coming from the feds, or for home care or anything along this line. Neither is there any money coming for the drug plan, even though they have talked in their red book about

coming forward with dollars for home care, they've talked about pharmacare, but not a single cent. I don't think we'd be able to afford it in the province of Ontario if we had not established a sound economic base. That was established by the Honourable Ernie Eves back in 1995-96. That's when he made, as the Minister of Finance, some very dramatic cuts in our income tax, stimulating the economy. The end result has been that we have a very sound foundation, increasing the tax revenues in this province by some \$15 billion, and that's an increase of about 50%.

Also, the member for Simcoe North was talking about the accountability this would bring to the CCACs and their activities. That has really been a hallmark of the Harris government since we took office back in 1995.

I think it's interesting that recently there was a quote from Dr Sinclair, on October 2, I believe, and it was to the effect that we are not applying a greenback poultice. That's a term borrowed from Dr Sinclair, who headed up the now disbanded Health Services Restructuring Commission. Dr Sinclair was quoted in the Kingston Whig-Standard on October 2, stating his belief concerning home care, that a greenback poultice, or infusion of money, will only create more problems. Obviously he's not a Liberal, because that's a standard solution that every Liberal has: more dollars. I like the way Dr Sinclair put it: a greenback poultice. It describes it well, and I'm afraid that whether you're a federal or provincial Liberal, the answer to everything is a greenback poultice.

*Interjection.*

**Mr Galt:** I've heard the criticism coming across this Legislature about all the dollars that you people would spend—

**Mr Dwight Duncan (Windsor-St Clair):** You're no Paul Martin.

**The Acting Speaker:** I just wondered if there's something about the rules that the member for Windsor doesn't—do I need correction?

**Mr Duncan:** There's a lot of them I don't understand.

**The Acting Speaker:** I see. There may be lessons available sometime, somewhere, but right now we don't yell across.

The Chair recognizes the member for Northumberland.

**Mr Galt:** Thank you very much, Mr Speaker. It was obvious when I was talking about the greenback poultice and how that's the Liberal approach to dealing with things that we must have struck a nerve, because it seemed to bring forward the House leader from the official opposition getting just a little agitated there.

It's most important to note that the CCACs are still relatively new organizations and have accomplished much in the four years they've been up and running. There were and still are high expectations around the role of the CCACs in long-term care. That's particularly true as advances in technology and reduced lengths of hospital stays have increased the acuity of the CCACs' clients, which in turn has resulted in higher costs related

to more complex interventions requiring greater skill and specialization on behalf of their staff.

I want to emphasize that CCACs and their contracted service providers have emerged as the pivotal community service providers in our reformed health care system. With the increased emphasis on in-home and community services to meet the needs of a dynamically changing population, CCACs are naturally positioned to assume a leadership role. We will make every effort to ensure they realize that potential.

Part of the Harris government's strategy regarding the province's network of community care access centres and the need to improve community-based services in Ontario is the Community Care Access Corporations Act, 2001. If passed, this bill would strengthen the accountability in the community-based long-term-care sector, a sector that manages a budget of more than \$1 billion.

Let me briefly outline how we got to this point.

There was an undeniable need for improvements in the operation of the province's 43 CCACs. In fact, the CCACs asked our government for standards, directions and improvements regarding their operations. Consequently, we initiated the province-wide program review of CCACs, and an operational review of the Hamilton-Wentworth CCAC.

The province-wide review—conducted, as I mentioned, by PricewaterhouseCoopers and released this past summer—found a number of areas where CCACs needed strengthening to meet their mandate of serving Ontarians efficiently and effectively. These areas included financial accountability, fiscal practices and quality management strategies.

Similarly, the Hamilton-Wentworth operational review revealed deficiencies in many areas. There was evidence that there was minimal understanding of the factors contributing to its deficit. The board had a critical shortage of staff with business skills or experience. There was a poor understanding of how to correct the situations causing growing expenditures, and there was no effective monitoring or management of service utilization and caseloads. This led to the appointment of a ministerial designate to manage the operations of the CCAC to ensure the review's recommendations are implemented.

I'm very pleased to be able to support Bill 130. I'm very impressed with what the associate minister of health and long-term care has been able to manage in just a month or so, tackling this very difficult issue of the CCACs, one that I know in your riding and in my riding and several others in Ontario we've been struggling with. It's been this minister who has been able to solve that problem and bring forward Bill 130.

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**The Acting Speaker:** Comments and questions?

**Mr Caplan:** The minister who spoke, and the member for Simcoe North and certainly the member for Northumberland, made a lot of claims, a lot of puffery, and I have one word to say to that: bullfeathers. No way. You guys are so way out there it's not funny. You know, there is a \$175-million deficit in just this current year

with community care access centres. This is clear. You know this. That's what they're running as deficits.

Not surprisingly, earlier today in this chamber we had closure on a bill which accelerates tax cuts. The interesting thing is, the cost to the provincial government is \$175 million. So we're going to accelerate tax cuts \$175 million and we don't have it for health care. And then we have the unseemly spectacle of the Premier of Ontario going to Ottawa and saying, "We need more money for health care." Well, bullfeathers. No way. You guys are way out in left field. This is unbelievable. And we don't want to let the people who are the health care advocates, community care access boards and their executive directors, tell the public about this, so we're going to give them a gag order. That's what Bill 130 is, pure and simple. It says the minister will decide. There's no public accountability. It's accountability to the minister. If the minister gives her directions and says, "You shall," or, "You shall not," that is what happens.

*Interjections.*

**Mr Caplan:** Give it a rest. Let the government at least be honest about what they're doing. Don't try to wrap it in this candy floss, because it just doesn't sell.

**The Acting Speaker:** I just wanted to be sure that I was right in this, and that is that there's only supposed to be one person talking, and that's the person who has the floor. Let's pluck that bull later.

**Ms Shelley Martel (Nickel Belt):** I listened with great interest to the comments, particularly those made by the associate minister, and I was struck by her comment that the government considered Bill 130 to be the minimum response that it could provide to changes needed at the CCACs. She went on to say that of course the government had the option of completely destroying community care and giving that to the hospitals to deal with.

If this government had gone forward and had hospitals deal with community-based care, I would have opposed that because that would have been wrong. And you know what? I oppose too the fact that the government is moving forward by getting rid of duly elected boards at the local level, by appointing executive directors instead of the duly elected boards at the local level doing that, and by deciding what information will be released to the public, because that's wrong. If the best endorsement you can give to this bill is that we could have done something worse, that's a pathetic endorsement for this bill indeed.

This bill should be called a purge bill, because that's what it's all about. What you are doing through this bill is dealing with the criticism that your government doesn't like about your current under-funding of home care. So you are going to go in and remove those directors on boards who have been particularly vocal, like in my community, and you're going to go in and remove executive directors who have been particularly vocal, like in my community, and you're going to make sure you control what information gets out to the public.

This has nothing to do with improving home care in Ontario. It has everything to do with your government trying to silence criticism of people who are advocating

for the sick and the vulnerable and the aged in our communities.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's really interesting to hear the Liberals and the NDP get up and yap away, as they so often do, and talk their typical rhetoric. We've heard them say in the last week, "Oh, tax cuts are a bad thing to do when you're cutting back on home care." First of all, we haven't cut back on home care. Home care has increased. The funding by this government in home care has increased by 72% over five years, and that's a fact. They don't want to bother with facts. They like their rhetoric. They like their comfort zone, which is filled with innuendo.

**Mr John Gerretsen (Kingston and the Islands):** Why are you doing it?

**Mr Wettlaufer:** But let's look at tax cuts, I say to the member from Kingston. Last week, a Leger Marketing survey said that 63.8%—that's almost 64%; that's almost two thirds of the population—want governments to cut income taxes to stimulate the economy. They realize that we can keep putting more money into CCACs if we have more revenue. But we have a little bit of a problem here now. We've increased spending in health care by \$6.5 billion since we came to power in 1995. What have the federal Liberals done? They've cut spending in health care in Ontario by \$100 million. Forget your tax points, because they don't count. They've cut spending \$100 million in health care in Ontario, and the Liberals don't do anything about it. They don't want to talk about that.

Now, let's take a look at something else here. The federal Liberals talked about home care in their red book in the last federal election, but of course these Liberals don't want to talk about that either because the federal Liberals reneged on their promise. Well, son of a gun—Liberals reneging on a promise. They reneged on just about every promise that was in any red book they ever campaigned on.

**The Acting Speaker:** The member's time has expired.

**Mr Wettlaufer:** We need money in health care. They won't give it to us.

**The Acting Speaker:** Comments and questions.

**Mr Wettlaufer:** The federal Liberals don't care about health care.

**The Acting Speaker:** Order. The Chair recognizes the member for Windsor-St Clair.

**Mr Duncan:** Let me begin by saying that the provision of home care services is a difficult question. It is an expensive proposition and it's one that is necessary, given the rapid rate of growth of our population.

The government tonight, or this week, could have addressed a number of substantive issues around home care. And yes, I must say it does require more money. Where could that money have come from? Did we have to raise taxes? No. There's a \$2.2-billion corporate tax cut that kicked in on October 1. You could have used \$175 million of that.

The rate of growth in government expenditures has not kept pace with the rate of growth in demand for health care, and in particular home care services. It has not kept

pace with the fact that we have cut—closed down—literally hundreds of acute care hospital beds in this province. We all have constituents, in every part of this province, who are not getting enough care, are not getting adequate care. I had a case in my riding where a blind man had his visiting nurse cut and his homemaking service cut, and it wasn't until he almost burned his apartment down and the media got involved in the case that there was any kind of response.

I acknowledge that it is a difficult problem. I acknowledge that it is an expensive problem. I acknowledge that there are no quick and easy fixes. But I also recognize that, given the chance tonight to debate substantive improvements to the provision of home care in this province, the government has chosen simply to shut down and close off voices of advocacy in each community in this province, and that's regrettable. We could be debating the provision of different types of service—visiting nurses versus home care—and the levels of money. Instead, all we're doing tonight and all this government wants to do is shut down any voices of dissent within this debate.

**The Acting Speaker:** The minister from Huron-Bruce has two minutes to respond.

**Hon Mrs Johns:** Thank you to my colleagues who have made comments.

Let me say first off that I guess the tack of the opposition members over the next few days will be to just write off the concerns that we've had with home care, write off that we had an operational review and that major concerns were raised by the people who did the review, write off the fact that we had to put a supervisor into Hamilton because the services weren't being provided to the community, and when the supervisor went in, she found that she could balance the budget because she allocated dollars more effectively. The opposition wants me to write off the fact that PricewaterhouseCoopers put in a report and suggested that substantial change needs to be done and that the government should move forward to do that. The opposition wants me to write off the fact that customers and clients of community care access centres have raised concerns to every MPP in this area saying, "You need to do a better job of providing services."

What has happened in this bill, whether the opposition wants to believe it or not, is that we are moving forward with that. We didn't have to deal with money in this bill. There's a business planning process to be able to deal with money issues. It wasn't something I had to legislate.

What had to be legislated were the governance issues, and there had to be some accountability issues put into legislation, and there had to be a requirement to integrate the health care community within each of our communities. After looking at the broad range of things we needed to do for community access, those were the only three things I had to embed in legislation, and I chose to do that. We can deal with service levels, we can deal with better systems and accountability mechanisms in policy, procedure, regulation. I can do all of that.

You cannot write off the fact that there were problems with the community care access centres. This government has come up with a solution, and we're going to implement it.

2000

**Mr Gerretsen:** On a point of order, Mr Speaker: I'm sure the minister will agree that the first thing the Price-Waterhouse study recommended was a need for more resources, and that's—

*Interjections.*

**The Acting Speaker:** I was under the impression that only one person at a time has the floor in this place. If the member for Ottawa West-Nepean and the member for Kingston and the Islands would like to get together and apologize to each other for the way they've been shouting, that would be fine. I have no objection to that whatsoever. But we don't shout back and forth across the floor or up and down the floor. I understood those as the rules. If I've misunderstood them, please let me know.

**Mr Gerretsen:** Speaker, I apologize.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** I apologize to you, Mr Speaker, and to the former mayor of Kingston.

**The Acting Speaker:** Well, this sounds very amiable. I just hope it can continue.

We're going into debate. To lead off, I'd like to recognize the member for Thunder Bay-Atikokan.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Speaker, I will be sharing this time with our lead critic on this issue, the member for Windsor West.

Once again this government would rather try to make a problem disappear than actually deal with it. Bill 130 is a takeover of community care access centres. It is nothing less than that; it is nothing more than that. It is a hostile takeover. It's a takeover that has been done without consultation. It's a takeover that has been done without any due warning. I say to the members of the community care access centres who are here tonight that if you had any doubt about the hostility of the government in taking you over, just listen to the kind of blame-laying that has been going on by the members of the government all night. To hear them speak, all the problems of home care in this province are a direct result, an exclusive result, of the mismanagement by local community care access centres and by a lack of accountability on their part.

That is simply, fundamentally a distortion of what is happening out there. The bottom line is that this government has underfunded community care access centres so that they are facing a deficit of \$175 million. It has made them do their dirty work, and when the community care access centres dared to come to government and say, "We cannot deliver a reasonable level of service to the people who need that service," this government's answer was to shut them down.

I don't suppose it actually came as much of a surprise to the community care access centres, even though they had no warning. Two years ago I remember talking to Bob Fera, formerly the provincial chair of the community

care access centres association and the former chair of the Sudbury community care access centre. He resigned in fury that this was done to local board members. I remember talking to Bob Fera two summers ago, and he said, "We are really concerned that we're not going to be able to meet the needs that are there. But we have to work with the government; we have to work behind the scenes with the government. We're going to do that because we're afraid that if we don't they will simply come in and take us over, replace us with people who will not be so publicly critical of the government's failure to meet the needs of seniors and those needing long-term care in our communities."

Well, look at what's happened. Two years later, community care access centres, which did their best for two years to work with this government to make government understand the increasing needs of an aging population, the increasing needs of people who are being discharged earlier and earlier from hospital, kept running into a complete and utter void of response from this government. Finally, last spring, in desperation, they released a report on the crisis in home care. It was a measure of their desperation that they were prepared to publicly raise these concerns. What happened? The Premier of this province accused these local community board members, volunteers trying to serve their communities, of a shoddy ploy intended to wring more money from the government. Shame on them for daring to raise the concerns of the people in the communities they're trying to serve.

So now we have a takeover. Some people might look at this bill and say, "Good for the government. They're going to take some responsibility." I doubt it, because what this bill is all about is taking pressure off the government by silencing the very people who know what's happening on the front line and have dared to speak about it.

Why is the government embarrassed? Why would they feel the need to shut down these community volunteers who are simply out there trying to serve the people who need their care? I suggest it is because this government knows well that it has totally, absolutely failed to provide funding in any way adequate to the home care services we should be providing.

Members of the government opposite might say, with some justification, "No government has done it better. No government has provided more money for home care than our government has," ignoring the fact that we have had an increased population, an aging population and increased demands. I say to the government that no government has gone about a systematic, widespread restructuring—destructuring—of our acute care hospital system in the name of transferring care to the community. And now 50% or more of the services that community care access centres have been providing have been going to acute care for those people who have been discharged early from hospitals, only the problem is that the government was never prepared to put the resources into home care.

What's happening now? I can tell you. The evidence is in. It's increasing every month. People who are being discharged without care from hospitals are coming back into hospital with more complications requiring more care, staying longer in a hospital bed. Now we have people who can't be discharged from hospital because there simply is no care. We have frail and elderly people, the people for whom home care support was designed, who can't get any care at all because the dollars are going to provide for acute care.

Those frail, elderly people are falling. They're breaking hips. When you're 75 years old, 80 years old, the average age served by community care access centres, you don't recover quickly from a broken hip, so you end up in hospital: first in an acute care hospital, then in a rehab hospital and then in a nursing home. This is not only chaotic and putting people through anguish; it is costing this government a fortune. This is chaos, and it is costly chaos. The associate minister suggested that some CCACs may have slipped through the Web of reform. I would suggest to her that the community care access centres in this province haven't had a chance to be part of the reform. They have simply been dumped on, and now they're being blamed for the government's failure.

I'm not going to spend a lot of time tonight on the state of home care; we've been raising it in this House on almost a daily basis. I do want to recognize that the problem of the lack of resources is compounded by the kind of managed competition process that was put in place. Supposedly, awards of service were to be based on 80% quality. But we've known from the beginning that with the kind of funding restraints the CCACs were under, it was going to become a question of quality or access. The managed competition process has been costly, it has been time-consuming, it has been chaotic. It needs to be changed. But what we're going to be left with after tonight is neither quality nor access.

The bottom line is that community care access centres across this province are facing \$175 million in deficits, and instead of acknowledging it, this government wants to suggest that it's a problem of local mismanagement and that they need to take it over. Well, I can tell you there's nothing in this bill to help Dawn Wreshall from Thunder Bay. She was the most recent person to call our office. Her father's home care was cut from five one-hour sessions a week to just one hour in total—one hour per week. Her father is 78. His wife passed away a few years ago. Dawn called because she's concerned that since she's now the primary caregiver, she won't be able to care for him adequately and he will be forced into a nursing home.

**2010**

This bill does nothing for Dawn Wreshall. It does nothing for the thousands of people like her who our members, and I'm sure government members, have been hearing from. We've waited for two years—more than two years—for a Long-Term Care Act, a real Long-Term Care Act that would have made it clear what the

standards were of what we are going to provide in home care. There are no standards here. There is nothing but a takeover being done in the name of holding community care access centres more accountable, as if they were the ones to blame for everything that's happened.

I'm not going to spend a lot of time on what the bill does. I want to just acknowledge three central things, because they are central to this. First of all, the bill says that we are going to appoint board members—the government is going to appoint the board members. They are no longer going to be elected. This is hugely ironic. One of the things that we on this side of the house welcomed when this Conservative government created the community care access centres was that they had put in place a process for the board members to be elected by a concerned community. And yet this same government that created them, this same government that believed that local accountability was achieved through an election process, is now taking that very accountability away. How can the associate minister stand up and say this bill is about more accountability? Surely, as elected representatives, we believe the way that you are ultimately accountable is to the people who elect you. That's what Mr Wilson, when he was Minister of Health and created the CCACs, seemed to believe. He gave them a year, I think, and of course at the end of that first transitional year, the CCAC board members were to be elected. This government has decided, because local accountability, which in fact is what this is, is too embarrassing for them to live with. They'll shut down that process.

The second crucial part of this bill is that the executive officer of the community care access centre will no longer be appointed by a board, but will be appointed by the minister, appointed and able to be fired without cause by the Minister of Health. I would add, as I understand it, at least initially, without provision for severance. Talk about intimidating. Talk about a power for silencing. Is it any wonder that we are not likely to hear the outraged voices of executive directors of community care access centres across the province when they know they can be fired without notice and fired without severance and when they see the evidence before them in this bill that all they have to do to warrant that kind of hammer being brought down is dare to speak on behalf of the clients who their agency serves?

There's one other part of the bill I want to stress, and that's subsection 11(2), because this says it all: every community care access centre "shall comply with all directions issued by the minister."

What have we lost with those three central tenets of this bill? We've lost community advocacy. Community care access centres have been trying to provide a service. Again, I repeat, they are volunteers. These are not people who are advocating for themselves. They're not raising concerns on their own behalf. They all have easier things to do with their life. They raised their concerns because they saw the anguish in the homes, they saw the anguish in individual lives and they saw the anguish in families. I

say to the members opposite, if you've talked to any of those community board members, you've understood how they shared the anguish of the people they were trying to serve. What's wrong with that? It is what they were expected to do. It is unfortunate it happened to be embarrassing to the government. They were set up to be advocates by this very government that's shutting them down. I remember saying to the chair of the first appointed board for my home community, a man named Don Murrel, "Don, I really hope that this concept of community care access centres, where you are community people who will be advocates for your community, is something you'll be able to hold on to."

That's why I'm particularly distressed at this legislation, because I think they tried. They tried to remain community advocates, little knowing that it would be the government that set them up that would then shut them down.

I quote from Doug Hamilton, the chair of the Toronto Community Care Access Centre: "This new structure is a major cause for alarm. It removes the voice of consumers and community representatives from the very organizations that serve and advocate for the sick, frail and vulnerable members of our community. And it politicizes a key segment of the health care delivery system. It imposes a gag order on CCACs preventing them from voicing dissatisfaction with chronic underfunding of home care in this province."

I suggest that what else is lost is any ability for community care access centres to make the broader public aware of the needs in home care. Yes, they have to make a report to the minister. Yes, supposedly the reports are to be made public. But, given the fact that all these members of boards will be government appointees, along with the executive director, those reports are not going to be about the gaps in service. Those reports are going to be about the successes. They're going to be a plea to government to keep them going because they're doing so well.

In fact, even if they dared, in these reports, to point out gaps, there is a section of this bill which says the public will have access only to the information that the minister deems to be in the public interest. It appears that the minister does not believe that public advocacy in home care is in the public interest. If the minister believed there was a public interest in advocacy for home care, we would not have Bill 130 in front of us tonight.

I think what we will lose with this bill is the commitment and the expertise of local board members, those local volunteers who have served out of a commitment to their communities, out of a concern for people who need care. They've had no other reward than the reward of service. Why would anyone who continues to have that concern for community, that commitment to people, want to do the government's dirty work if there was no hope of reward in simply making a difference at a community level? Those community volunteers are realizing only too well that that reward is not going to be there. That's been their motivation.

As this legislation is presented, as they hear the government and the minister laying blame on their lack of accountability and their mismanagement, they must feel angry and belittled as their contribution is so devalued. Why would they serve after this? I don't believe for one moment that the failure is in the community care access centres and their volunteer board members. I just want to read one quote about the issue of competence of CCACs. It comes from John Enns, who's the vice-chair of the Waterloo community care access centre. He says, "The implications of the proposed legislation is a slap in the face the week after the Waterloo CCAC was praised for its accountability and effectiveness in a glowing report from the Canadian Council on Health Services Accreditation." Shame on the Waterloo CCAC for being so incompetent and so lacking in accountability that the minister needs to shut down this volunteer board.

Inevitably, the greatest losers in all of this are the people who need care, because it is going to be easy to ignore the waiting lists. From the Waterloo CCAC board chair, Norma Marossi: "It is now glaringly obvious that advocacy on behalf of the frail, sick and vulnerable in the community will not be tolerated. Provincial appointees with the support of government will be able to ignore the pleas from the community for the service they deserve."

The minister tonight talked about Hamilton, one of those glaringly deficient community care access centres with a large deficit. The government had to go in and take it over. You know what, Mr Speaker? The waiting list for home care in Hamilton miraculously shortened. Do you how they shortened the waiting list for community care in Hamilton? They just cut people off. They just didn't put people on the waiting list. It is one way of dealing with the problem. With this new legislation, it is going to be much easier to misrepresent what's happening without fear of contradiction.

That's certainly what happened in this Legislature just last week when it came to the CCAC in my home community of Thunder Bay. In Thunder Bay, the community care access centre had to cut \$9 million in services. That's a lot of money in our community care access centre. For the very first time ever, they have had to cut nursing services. Do you know that if you're discharged early from hospital in Thunder Bay, you may have to wait 20 days just to get a dressing changed? They've had to cut out all the speech therapy in our schools, so if you're a child over the age of five years, 10 months, you no longer fall under the public health unit for speech therapy. You don't get speech therapy in my community. In fact you don't get it in northwestern Ontario unless you can pay for it.

There are indefinite waiting lists if you're a senior waiting for home care, trying to stay in your own home. There are 680 clients on the waiting list. There's nobody new being admitted to that waiting list, so our waiting list won't grow. You have to die before you're going to get care. It's the only way the waiting list is going to be reduced.

**2020**

The associate minister said last week that the Thunder Bay CCAC had a budget of \$17 million last year and that they wanted to go to \$26 million. They didn't. They had a budget of \$21 million last year. Did the minister acknowledge that? No. Did she look at the reasons their budget this year needs to go from \$21 million to \$26 million? No. Did she recognize the negotiated salary increases? Did she recognize the cost of the RFPs? Did she recognize the fact that in Thunder Bay there was a 48% increase in the caseload? No.

None of that was taken into account. There was simply a misrepresentation of the budget and a refusal to acknowledge the realities of what the Thunder Bay community care access centre is dealing with.

The anger of the associate minister directed at the local board was quite something to see. She basically accused the volunteer board members in my community of lying, as if those people, who are there solely to serve the people in my community, were cutting people off service just to make some kind of political point with the government. Home care is not about politics for these community-based community care access centre board members; it's about people who need service.

I want to save lots of time for my colleague. I just want to tell you that I think this is the beginning of a process that frightens me a great deal. I don't even know if the associate minister is aware of what this may begin, but I get pretty nervous when I hear the Premier of this province talk about abandoning home care. He wants to present it as some kind of gimmicky ploy to attack the federal government on funding, but I think it has a deeper relevance to what we're doing tonight.

We have a bill before us that silences the critics. When you silence the critics, when you refuse to acknowledge the real gaps in service, what happens? What happens is that increasingly private pay becomes a reality. The 85-year-old man in my husband's medical office a couple of days ago, who simply cannot go home alone, who could not safely be allowed to leave and go home alone, had two choices because he can't get on a waiting list for home care in my hometown. He could go to a nursing home or he could pay privately for his home care. He said, "I won't go to a nursing home. I'll spend my last penny just to get some home care."

Private pay is becoming a reality. This government is creating a crisis in access to home care, as they are creating a crisis in access to health care. When you create a crisis in access, you drive a demand to be allowed to pay privately. You make it a necessity to pay privately. Already in Ontario we have the highest proportion of private pay for health care of any province in this country at 33.3%. A large part of that is going for home care, and more of it is going for privately paid home care every day.

I suggest to you that is part of the agenda of this government. It's possible that this utter chaos in health care, acute care, long-term care and home care, this utter chaos we've had under this Tory government is the result

of complete incompetence, complete mismanagement, complete refusal to put resources in place, and that that's all it is. But I think it's more than incompetence, more than mismanagement, more than a refusal to give resources. I think there is, if not a deliberate agenda, at least a willingness to see the alternative of private delivery and private pay be something that the public has to resort to because they no longer have any alternatives.

Where else have we seen this government take action to shut down the voices that criticize them? Emergency room bypasses: a hot issue in the press? People being bypassed, bypassing emergency rooms, critically ill in ambulances with no hospital to take them because acute-care hospitals are working at 95% capacity, people lying on stretchers in emergency room hallways: what does the government do? Do they fund emergency room services? Do they provide more acute-care beds? No. They bury the statistics on critical care bypass so it will come off the front pages of the paper and the public won't be concerned, until it happens to them.

Cancer Care Ontario, a huge issue: long waiting lists for radiation treatment. In the summertime they come out with a study that says we have equally long waiting lists for cancer surgery. What's the government's answer? Deal with the surgery? Deal with the waiting lists? No. Their answer is to merge Cancer Care Ontario centres with hospitals so that you can bury the facts, so that you can bury the gaps in the budget, you can bury the reality of waiting lists.

I guess the question is, what's next? Hospital boards taken over? Public health boards taken over? Public health boards have dared to raise concerns about their ability to provide mandatory programs. I guess they'll be the next to go.

Before I close and turn this over to my colleague, I do want to acknowledge that there is another part of this bill which was addressed by the community care access centres in raising concerns about the bill, and I noticed that the majority of the very real concerns they raised, the most fundamental concerns, have been dismissed out of hand by the minister as not requiring a response through an amendment process. I hope the members of CCACs present acknowledge or recognize that, because the minister has essentially dismissed all the key concerns that are central to you in making this bill in any way palatable.

One of the concerns that I share, among many others, is the aspect of privacy. This bill requires that personal health information be disclosed to the minister or to a representative of the minister. In the absence of health privacy legislation, this is a very serious inclusion in this bill. We fought the privacy legislation. The privacy commissioner of Ontario fought the privacy legislation that was proposed by this government. The federal Privacy Commissioner said the privacy legislation proposed by this government was absolutely intolerable. It was deemed so by privacy commissioners because it allowed for the disclosure of personal health information to members of the government when there was absolutely

no reason, no defence, for giving personal health information to a member of the government. Statistical information, yes. Governments need that for policy purposes; they need it for funding purposes. They do not need access to personal health information of individuals, and I trust that this government will at least give the privacy commissioner of Ontario the courtesy of reviewing this before they ram this bill into law.

I would like to talk more about cost-effectiveness of home care, because we're losing the cost-effectiveness. I would like to talk about whether or not this government can afford to provide home care rather than shut down home care agencies. They could if they just had a priority for health care, for human services, rather than a priority for tax cuts.

I'm going to leave this now to my colleague on a note saying that I consider this to be a shameful piece of legislation when a government collapses the very agencies it set up to be community advocacy groups solely on the grounds that they did the job they were created to do.

**Mrs Sandra Pupatello (Windsor West):** I'm very happy to speak to Bill 130, the bill that essentially eliminates community care access centres across Ontario.

Let's just call the bill exactly what it is: a hostile takeover of home care in Ontario. This bill is effectively a gag order for all of those who have been community advocates since 1997, as they evolved into true advocates for patients. Those agencies will be gone.

Some of my colleagues have already expressed effectively what the guts of the bill speak to, and that is the elimination—in fact, the most common phrase in the bill is actually “ceases to exist.” The CEO ceases to exist, is terminated. The boards of directors cease to exist. The memberships, those who could be participative in their local CCAC, cease to exist. It's the most common phrase in the bill.

2030

My colleague from Thunder Bay-Atikokan asked the question, “Why?” We believe we know the answer to that. We understand that in 1997 this government created community care access centres. Let's just do a very quick review on the history of how they came to be.

Let me add the caveat upfront that in 1995 my constituency office of Windsor West received not one phone call about a lack of home care in my community. The VON, the agency in my hometown at the time, did a very effective job of providing service. That was in 1995 and 1996: not one phone call to my constituency office despite the massive cuts across the system in health care that particularly affected my hospitals in Windsor. Not a phone call in home care. That VON organization did a fabulous job, to the point where we were so surprised to see the creation of CCACs. What were they doing when a program seemed to be running well? Programs can always be improved. You'll never have the best program. You need to strive to do that. So that was the beginning.

Then the government embarked, if you'll recall, on the Health Services Restructuring Commission. I wish to say on record that if Duncan Sinclair were still in his job, he

would finally resign as he promised to do when he said, “If the government doesn't invest in community services before the services are eliminated from the hospital system, I will resign.” That's what he said. If he were still in that job, I trust he would keep his word and resign, because the government did not meet that commitment.

Here's an example of the health services restructuring in my community that of course gutted a number of facilities, all in the name of long-term improvement to the system. It called for, among many things, reinvestment in other services. Reinvestments were recommended for home care. What a surprise that was. This kind of comment existed in every Health Services Restructuring Commission across the province, because everyone in health policy could see, all of those bean-counters, all of the PhDs and eggheads who have ever looked in the area of health policy—it was apparent; you didn't need to be a scientist to understand—that when you eliminated services in one part of the health care sector, it was going to spill over into other sectors. Duncan Sinclair said that the government needed to invest in those community services before you gutted services in hospitals.

What did the government do? They created community care access centres. They essentially ripped everything open and said, “OK, we're going to lay a new template across how we're going to deliver home care.” Fine. I guess the government, as a majority government, has the right to do things that it deems appropriate in health care. But, for God's sake, it wouldn't even take good advice from experts in the field. People who have worked in the industry for decades told the government, “Be careful how you do this. Watch the timing of it. Don't cut so dramatically in one area, because the other services are still not equipped to deal with them.”

The predictable thing happened in home care. Hospitals were ratcheted down in terms of their budgets and were driven to throw people out of hospital quicker and sicker. This happened across the board. We heard the stories, the nightmares, of people backed up in emergency rooms, patients lying on gurneys in hallways for days at a time with no beds because the hospitals didn't have the funding to keep the beds open, so the people were being sent out, as the OHA would confirm. Every hospital in Ontario was told by the government to get those utilization levels down, all those big words for health care. What that essentially means is, “Get the people out the door. There isn't room for them in the hospital. As technologies change and as we do more in hospital on the technology side, we're going to do things quicker, need less invasive surgeries these days.” It was all meant to drive utilization levels down in hospitals.

Where were those people going to go? The very predictable thing happened. The things we said in this House happened. Back in 1997, when the CCACs were created, we said, “Standards have to be in place before you let this horse out of the barn. Tell us what services will be in that basket across the province so that whether you're in Wawa or you're in Windsor, you can expect to

have the same level of service." The government didn't do that. We asked the government for that back in 1997. At the time, you had government-appointed boards of directors, government-appointed staff for one year while it transitioned into what was to be community advocacy, community care access centres.

The members opposite—I hear the buffoonery across the way dare to quote my quotes from my Windsor paper. They forgot to say when those quotes were made. They were made, in fact, when my own CCAC in Windsor forgot that they were supposed to become a public organization, and a year after they were to allow memberships by the general public on to our local board, they refused to do it. What did they think their local MPP was going to say? Everything I would say again if they dared to do it again. Since that time, my local CCAC, kicking and dragging all the way, became the public organization they were meant to be by the legislation.

I would just add, for all those who dared to bring those comments into the House tonight, that if it wasn't for the opposition we brought to bear on that local community care access centre to be open, to let us in and see what they were doing with the funding—we in fact called for the forensic management audit that the government was forced to do, embarrassed to do, and ultimately the report that led to dramatic change at my local CCAC, so that when it did improve, it improved because they had community people represented on that board, not the government appointees, not the Tory hacks you put in place, some of whom have still hung around for a long time, who dared to be defenders of government instead of defenders of the patients they were meant to serve. Those people should never have participated in that community group. Those people should never have taken on a volunteer position unless they knew it meant they were going to advocate for patients.

That's what I demanded, and I would say the same again whether my newspaper likes it or not. That's the way it was in my community.

Just as my own community care access centre comes up to speed with where Ottawa was from the beginning—and I remember well the CCAC in Ottawa advocating from the beginning and saying, "The demand, the caseload is growing dramatically and we need assistance with this." They got slapped around from beginning to end by this government, which all of a sudden turned the tables on them and said, "They are being mismanaged." In Ottawa's case, they decided to just slap them around the very same people they put in place, because they were causing too much trouble for the government, too many headlines for the Ottawa MPPs to have to deal with.

The truth was, just as they went ahead with the Health Services Restructuring Commission and then implemented the commission's reports by changing the health system and not investing as they were supposed to, they actually changed the very nature of home care. In the 1980s, and in some cases 40 years ago, communities and government started to fund programs that allowed the elderly to stay in their homes. It was essentially an elder

care program. It was not the post-Conservative-government virtual hospital that it's become. When you started changing what we service in health care and where, it was not a home care program that compared with a Liberal government program or even for that matter an NDP government program. So to suggest it's even the same group is just a fabrication.

Let's say what it is. You changed the health system to the degree that community care access centres became hospitals. You drove utilization down in the four walls of the big H in every community, and those services went into the community via community care access centres. Where they used to spend the money on personal grooming items, helping to prepare meals for the elderly, helping with some housekeeping duties so they could stay in their home, those monies dried right up as the demand for critical nursing services went through the roof.

The government likes to vaunt these fancy numbers about increases in services. We are talking about a wholly different organization. The people who are here in the gallery tonight will tell you that it is a whole different program. The tens of millions of dollars now driven into nursing care leave nothing for the elder care types of programs they used to be able to offer in communities. You now triage their patient load. What is the most critical? Well, I imagine a patient won't die if you don't assist with vacuuming in that particular week.

Now you've got patients driven out of the hospital the same day they've had surgery. We have the most horrendous stories of double mastectomies, women with tubes everywhere, sent home four hours after surgery, and a home care nurse is going to see to this. It is to the point where some people think maybe that's good public policy. There are just some things where you say, "You know what? For the sake of this woman, she can stay overnight, for God's sake." But the funding and all that flexibility in the hospital system are gone. We can't even be decent to Ontarians in this province any more. So now, of course, the double mastectomy is a much more serious issue that has to be dealt with in the home than that elderly man who needs a little bit of help preparing meals. That's where we are in Ontario today.

All this increase in the caseload has never been acknowledged by the government. Those caseloads went through the roof at a staggering pace. The funding couldn't possibly keep up with them. By way of example, in terms of numbers, I look at just one hospital in Windsor facing a \$17-million deficit, with the amount of services they would like to provide but can't, where we still have people waiting for every level of care. If you come into that emergency room and you're not dying, you are triaged out into the waiting room, and frankly that is the case everywhere in Ontario.

**2040**

I say to the members opposite that I realize you're proud of what you've done to health services in Ontario. But for God's sake, just ask your neighbours, just ask the people where you live, and they will tell you the

experience, because it's the same everywhere. It's not just in Windsor West; it's not just in Thunder Bay. These stories are everywhere. As I travel the province as a health co-critic, everywhere I go the stories are the same. If you are not dying when you arrive at the emergency room, you're triaged out into the waiting room for some length of time, until it's more convenient for the hospital to see you. That's the way it is.

As you can imagine, that CCAC program, that home care program that doesn't see the serious level of care that hospitals do, has just been billowed down to the bottom of the priority list as far as this government is concerned. There was no acknowledgement that while they increased funding, the caseloads increased exponentially and the funding could never keep up. It was mandated by the government, and then the government was not there to pick up the pieces. So much for the history of where we are today. They created this. They created the notion that the community would then take care of themselves and advocate for services they needed.

We committed from the beginning that if we were the government, we would introduce standards of care. This minister said in this House this past week that they're introducing this bill to bring in standards of care. How absurd is that? Actually, on that note, I have to quote somebody who said, probably in better words than I ever could—CCAC board chair Wendy Bell. Do you know what she said? She said, "Is she out of her mind?" That is probably better said than I could say it.

The last thing this bill does is bring in standards. We've called for standards in home care since its inception in 1997. Do you know who else called for standards? The community care access centre boards called for standards. They said, "Tell us what we should be mandated to deliver." They asked you for that.

This government said they brought Bill 130 in because the Price Waterhouse review they ordered told them to do this. How absurd is that? The difficulty is, we don't have the tens of millions of dollars to run ads to tell the whole world the hypocrisy of the statements we've heard. So let me just tell you this: here is the Price Waterhouse report. This is the report that the minister claims results in Bill 130. Let's go to the page that summarizes for us what the areas for improvement are. Let's take that page out of this report that she claims resulted in Bill 130. One area for improvement is, "Need for more resources." We never heard that across the way. The number one need for improvement was resources. And when it talks about resources, it doesn't just talk about money; it talks about staffing issues, personnel issues.

We all recall—and we've dealt with this everywhere across the province—that we have had our nurses virtually thrown out the door of the province. When the hospitals cut, because they had to cut, do you know who were cut the most? It was the nurses. Funnily enough, most of the money in an institution like that will go to the nurses, because that's the lion's share of the personnel in a hospital. That makes perfect sense. As we chased the nurses out the door, we virtually chased them out of the

field. We aren't even graduating nurses in Ontario today who want to stay in Ontario to work. Even as they are now trying to recoup, begging the nurses to come back, we can't blame the nurses for saying, "We don't trust this government." They don't trust that tomorrow there won't be some other absurd policy come along that will chase them right back out the door.

Where has this problem hurt the most? The home care area. Just as all these community care access centres have gone their merry way to listen to the government and go through requests for proposals, so that these contracts would be compared in a very businesslike fashion, private companies come in, bid on the work, get the work and assume that nurses, like widgets on a factory line—they're required here and then if that company wins the contract, why, the widgets will just move and go work over there. It has created the most unstable workplace imaginable for nurses in Ontario. It's the most disrespectful way to treat the majority of our professionals in the health field, and that's what this government has done.

The Price Waterhouse report said, "need for more resources," including finding ways to address the critical shortage of human resources in the home care sector. I don't see any of that in Bill 130. I don't see anything about the \$175-million shortfall that, as my colleagues acknowledge, we could find a hundred times over with the wasteful, mismanaged spending of this government. It pointed out inconsistencies in the policies and practices. Everybody has called for standards. This bill has nothing to do with the standards. It called for ministry program administration. Can you imagine that the Price Waterhouse report actually called for the ministry itself to do some work and we don't know that the ministry has done any of that work?

I note with interest that this particular minister likes to say, "I, I, I," but when it comes to blame somewhere, it's "the ministry" or "they." So in this particular case, this particular minister has not done her homework, has not brought standards of care, has not set the benchmarks for what services need to be delivered in home care across Ontario, has not done what the Price Waterhouse report called for in program administration, including funding, policy compliance, data management and accountability mechanisms—this at the feet of the new minister for home care. It has been a disaster so far. The response to this review is Bill 130—absolutely absurd. It's the complete opposite direction that you would think the government would want to go, just in terms of health policy for the government.

The member from Simcoe, who spoke earlier tonight, was talking about the kinds of complaints he got in his office. He just couldn't believe that. It was very frustrating for him to get those kinds of calls in his office. I ask this member from Simcoe, what do you think is going to happen after Bill 130? Who else are they going to call? Bill 130 says that the minister controls everything. It's nobody else's fault but the minister's. So maybe we will all redirect our calls to the minister's office. Because the minister wants to hear about the case

that my colleague from Windsor-St Clair talked about, where a blind man pretty near burned to death because they cut his meal preparation, and in this particular case this blind man was trying to warm up soup on the stove and the place caught on fire. Why? Because this man lost his home care hours. But I think in the future we will have him call the minister's office. Talk about bad public policy.

Just in general, where we seem to be going in health care: the lion's share of the public want to see more care at home. The trend seems to be people are living longer—that's no surprise—and people are living healthier, longer—that's no surprise. Seventy-year-old people today are not like they used to be 20 years ago. They're much more vibrant, they're much more healthy, they're much more active. So in the future we will likely be seeing people live and needing home care services. I see the Speaker counting his fingers. That's a few years to go for the Speaker. But in 10 years or in 20 years, home care will be addressing individuals who might be 90 years old. That will be typical in this province.

**Mr Gerretsen:** They are now.

**Mrs Papatello:** They are now, as my colleague says.

So where are we going with this particular document? What we see is an attempt to take monies away from the system and not even allow the window where we can see that the money in fact is not there. What this bill does specifically is have an audit prepared every year, but that audit is for the minister's eyes only. It says very specifically in this bill that the audit will only be submitted to the ministry for approval. So as Sandra Papatello, MPP for Windsor West, I used to go to my local CCAC and say, "Let's compare some numbers on the nursing expenses of this year versus the caseload." I could participate at my annual general meeting, which I did, to ask very valid questions, because I could access the financial data. That will no longer be available to me. How nice to close the door and close shop on community care access centres so we can't see how much money my community gets, how many services are required and who is on a waiting list in my community. I will no longer be able to access that information.

2050

Moreover, this government is going to appoint the board members. I can tell you that some of the board members at my local CCAC probably will not get appointed by this government. You see, they're actually there to advocate for the patient. They're actually there because they're interested that everybody gets the services they require. I bid them adieu. I think they're going to be off the list.

Likewise with all the current CEOs in every CCAC across Ontario. Any one of them who, behind closed doors, thinks this is absolutely horrendous, I can tell you they will not likely say it publicly. I don't think the minister, with apparently lots of time to read all the newspaper articles across Ontario as they relate to CCACs, shall be appointing those people who are suggesting the government is crazy. I see the staff at the

side laughing. Of course, I know you've already made copious notes on everyone who has dared speak out against this legislation and this government.

For those who have been very brave of late, let me at least get some of them on record, for heaven's sake. My colleague from Thunder Bay mentioned some of them. I noted with interest the editing job of the minister herself who chose not to quote some of the newspaper editorials and articles that did appear, like in Ottawa, that suggested, "Muzzling Home Care Critics: By tinkering endlessly with community care, freezing funding while demand rose and centralizing control of local community care organizations at Queen's Park, the provincial Conservatives have damaged both health care and their credibility as conservatives." I didn't hear the minister mention that speech at all.

There are a number of comments like this, which we mentioned earlier. "Is she out of her mind?" One CCAC board chair, Wendy Bell, said that. I don't think Wendy Bell will likely be appointed by this government after this bill is passed. This particular CCAC had the lowest budget percentages for administration. It was less than 8%, and that's of course when this government chose to just paint all of them, suggesting that they are all mismanaged, that they all have a massive increase in administration costs. It wasn't just this minister. The Premier, the Minister of Health, all of them have taken shots at the local management to suggest that all of them are behaving as if they were—this was a shoddy ploy, that it's not really a problem with the government at all, in fact it's management at these local levels.

I also note with interest that every time this government has sent in a supervisor because things haven't gone well, the miraculous has happened: the government has given them more money. We go back to the Hamilton hospitals. As soon as they sent a supervisor into the community, they gave them tens of millions of dollars. And I might suggest the hospitals could be next, frankly, because apparently they're not listening to the government either and some are starting to complain very loudly about it. In fact, maybe they should just hand over the keys and the government can go waltzing in—

*Interjections.*

**Mrs Papatello:** I guess the minister is getting a little upset. We're striking very close to the truth, aren't we?

*Interjections.*

**The Acting Speaker:** I wasn't counting my fingers, I was exercising because my hand was going to sleep, which reminds me that there are only three kinds of people: those who can count and those who can't. We can't have this kind of shouting back and forth. The member for Windsor West has the floor and I would ask everybody else to yield the floor to her.

**Mrs McLeod:** On a point of order, Mr Speaker: The associate minister accused—

**The Acting Speaker:** When there are two of us standing, one of us out of order, and it's not me.

*Interjections.*

**The Acting Speaker:** I think I have a couple more jokes. Maybe we could cool off a little bit more if I took a little more time.

*Interjections.*

**The Acting Speaker:** You don't like that idea. I'm not experiencing very much love in this room. I'll give you a minute. Try to draw yourselves together because we'd like to get on with the work that we're sent here to do.

If you're ready, I would—

**Mr Gerretsen:** On a point of order, Mr Speaker: The minister just accused my colleague of lying. She said, "She is lying." I would like you to ask her to withdraw that.

**The Acting Speaker:** I didn't hear it. I have heard some unparliamentary things, but I did not hear that. But if the member for Huron-Bruce has something she'd like to say—

**Hon Mrs Johns:** I would certainly like to withdraw. I should be parliamentary. I apologize. There are other things I should have said.

**The Acting Speaker:** The Chair recognizes the member for Windsor West.

**Mrs Pupatello:** Here's the deal: the Hamilton hospital received \$42 million after it was taken over by the government. It was just amazing that the hospital in Hamilton got the money after a supervisor came in, and it seemed to be the same thing that the board from that hospital had been demanding before the supervisor walked in. How funny is that? We'll see what's going to happen in home care when they choose to take it all over.

The point of all this is that home care services in general make good sense. That was supposed to be the way we were going. All governments were going that way, from the 1980s and on up. Everyone was restructuring to see that what the public wanted in health services, in fact, was being able to keep people in their homes longer, being able to make the services closer to the people. In particular in northern and rural Ontario they have significant problems where they don't have a hospital to go to. It's eminently more convenient to have home care services available with transportation, so they can go to the elderly farmer who's still living in a farmhouse. On my last trip to Renfrew, I met these kinds of people. They require good home care services across the province.

Let me say that the last big study, done by Marcus Hollander, a principal author of this study, said, "We found that a significant proportion of people seemed to have a health care crisis a year or two after their services were cut that ultimately cost the system more. These simple, cheap services appear to help maintain the elderly person's functioning, and prevent his/her deterioration." What else did the Hollander report say? It gets worse, when what we can predict what may happen next in Ontario, given the significant cuts in services that have occurred in the last year—

**Ms Marilyn Mushinski (Scarborough Centre):** On a point of order, Mr Speaker: I know the opposition has

done everything to try to shut me up this evening, but I wonder if you would check to see if there is a quorum present.

**The Acting Speaker:** Certainly. Would you check and see if there is a quorum present.

**Clerk Assistant:** Quorum is present, Speaker.

**The Acting Speaker:** Thank you. The Chair recognizes the member for Windsor West.

**Mrs Pupatello:** I can see why the government doesn't want to hear the things we have to say about home care. It is amazing to me, whether it's heckling by the minister herself, who can't seem to just sit there and listen to the truth, or the colleagues opposite who will find every manner of trying to get me off the truth that the people need to know in this province, and that is, if we provide home care services, for an entire year of homemaking services, personal support services that keep a person in their own home, it's \$2,500. How much is that, by comparison, for long-term care facilities? It's \$42,000. From an economic point of view alone, it makes eminent good sense to supply appropriate levels of home care.

We're talking about supplying services. Does Bill 130 address any of that? Absolutely not. Bill 130 does one thing: it shuts up every critic in Ontario who had the right to speak out and say what their community was getting or not getting. That's what the bill does. The organization tried to speak with the minister. I marvelled at the comments tonight by the minister, who said they did wide consultations on what they were going to do here. The Ontario Coalition of Senior Citizens' Organizations, which represents 500,000 Ontario seniors, was refused access to the minister. Why would the minister be afraid to meet with an organization representing that many seniors, when CCACs, the lion's share of the clients, tend to be—or at least used to be—the elderly?

They sent letters; the letters weren't responded to. In the end, we have a list of many, many community care access centres: \$17 million, \$12 million, \$3.3 million, all kinds of shortages, budget shortfalls. They simply have one choice: cut service.

**2100**

What is required in home care, which we said from the beginning, are standards of care. What we said from the beginning was that we want local advocates, local decisions, because they know best what their communities need.

Here's what Jim Flaherty, the Minister of Finance, said at one point. He said, "One way we can do that"—this is on local input—"is develop regional solutions to health care issues. Doesn't it just make sense to have local people who understand local needs have more say about where their health care dollars are spent? That's why I believe the time has come for more regional autonomy and coordination in our health care system," the very comments the minister herself laughed at when it was suggested by the opposition. So much for the comments by the Minister of Finance.

The truth is we are not supplying appropriate care for our elderly and our most vulnerable people in this

province. They're in my backyard in Windsor West; they're in the minister's backyard in Huron county. We have spoken with them. They deserve it. These people have paid taxes for a long time in this province, and when they finally make the request for services, after the kinds of investments they have made in this province, the least we can do is supply them with the services they need. Those are the elderly.

If this government was going to embark on health services restructuring and make the cuts they did to hospitals, it was incumbent on them to see that the investments were made in the communities before they went forward with the changes. The government did not do that. Now they stand accused by all those in the field, "You're wrong; you need to fund better; you need to set standards. The only thing this government could do was draw up Bill 130 for this House, as if that's some kind of panacea for the problem. It's not. The problem will get worse.

The worst thing is that these are the most vulnerable people. You can't see them. If they are elderly, you will be lucky if they are the people—they don't have the family supports because the patients who have family supports don't get the service. So it's the people who typically are alone. It's the people who will not pick up the phone and call their local MPP, and often we will not hear about it until it's too late. That is a shame. Shame on the government.

**The Acting Speaker:** Just in case we lost two or three viewers to West Wing, I'd like to welcome them back. It's time for comments and questions.

**Ms Martel:** I know the member for Windsor West, because she referenced the PricewaterhouseCoopers report, would want to reinforce the fact that nothing in the 41 recommendations that were put forward endorses or suggests or requires some of the measures the government is taking in Bill 130, specifically the government assuming control over what are now duly elected boards, specifically the government appointing the executive directors, specifically the government determining what information will now be available to the public. Let me just reference some of the recommendations.

Recommendation 2: "The ministry needs to revisit and clarify the scope of mandatory functions to be provided by CCACs in order to ensure that all residents of the province have equitable access to the same range of core services and programs." Do you have to take over the boards to do that? Absolutely not.

Recommendation 5: "The ministry should develop and implement a planning process to forecast future home care service volumes." Do you have to appoint executive directors for that to happen? Absolutely not.

Moving on, recommendation 9: "The ministry," the association, "and CCACs need to identify and implement strategies to build on best practices and improve province-wide consistency for key components of the contract management process." Does the minister have to

have the final say over what information is disclosed to the public for this to happen? Absolutely not.

The point is that time and time again the consultants made important recommendations about fiscal accountability, about best practices, about more training for boards, about more training for executive directors, but nowhere did they recommend that you take over control of CCACs, which is what you're going through Bill 130.

**Hon Mrs Johns:** I'd like to go back to one of the issues that was raised by the first speaker. I have in my hand the Long-Term Care Act, 1994. In Part I, section 1, it says, "The purposes of this act are ... to ensure ... a wide range of community services...." The bill then goes on to talk about "community services" and what the definition of that is: "community support services," "homemaking services," "personal support services" and "professional services." So this encompasses the services that community care access centres provide to the public.

*Interjections.*

**Hon Mrs Johns:** I guess they don't want to hear this. This act talks about all the services that community care access centres provide to the people of the province. This is where you get the services. In section 64 of this act, it says that the Freedom of Information and Protection of Privacy Act regulations apply to all of these services that are provided, all of the services that would talk about people and their health records. So I want to confirm again for everybody in the House that there is no change whatsoever to the privacy concerns. The privacy that was protected in the past will still be protected as a result of Bill 130. I also want to say that some of the things we talk about—

*Interjections.*

**Hon Mrs Johns:** I know it's hard to hear me, Mr Speaker, but I'm going to keep working on it. There are some concerns about services that were supplied; there are some concerns about what's happening in CCACs. Hence, that's why we went forward to make some substantial changes to community care access centres. I said in my first discussion there were some things I didn't have to change, because it didn't require legislation, but that I intended to change, and I talked about service level scope, core services, planning, forecasting, budgeting, information disclosed to the public, training. I talked about all of those things—

*Interjections.*

**The Acting Speaker:** We've gone back to this yelling back and forth. It's not only not nice, it's not allowed. We take turns. We usually go in rotation: the member for Nickel Belt; the member for Huron-Bruce; in a minute I'm going to get to the member for Kingston and the Islands.

**Mr Caplan:** A fine member.

**The Acting Speaker:** I beg your pardon?

**Mr Caplan:** A fine member.

**The Acting Speaker:** I'm up here criticizing people for talking out. Now I'm really mad.

The Chair recognizes the member for Kingston and the Islands.

**Mr Gerretsen:** I would like to challenge the minister. When hospitals were closed, when hospital beds were reduced, there was a solemn commitment given in this House by the Premier and by the then Minister of Health that the resources that were taken out of the hospital sector as a result of the closures would be put into the community care sector. I would just challenge the minister to do a forensic audit to find out how much money the system saved as a result of those bed closures and hospital closures. Let's see if all of that money went into the community care access centres. The minister knows, we all know, that it wouldn't even come close to the amount of money that was saved by doing that.

But this isn't about the government and this isn't about the opposition; this is about the vulnerable, the sick, the elderly who need help. They are people who cannot help themselves. In many situations they do not have homecare providers. They are simply left on their own resources. We all know them. They are all over the province, not just in our constituencies. They're in the government members' constituencies and they're in the third party members' constituencies. They're all over. That's who this is about.

When I read the report by PricewaterhouseCoopers for the government of Ontario. The very first recommendation is the need for more resources, including finding ways to address the critical shortage of human resources in the home care sector. That says it all. This is not about control. This is about adequate funding within our home care community, for our community care access centres. That's what it's really all about. Let's focus our attention on that and not who runs the organizations.

2110

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** I'd like to be very clear for the folks who are listening tonight. We're debating the CCAC changes that are being proposed by the government. CCAC simply means the health care services provided in our community beyond the hospitals. The way I often describe it in my riding is that they are services like a hospital without walls.

My riding of Guelph-Wellington has a superb CCAC. We've had marvellous service delivery right from the very outset. But clearly that has not been the case across the province, and that is why the government has introduced this legislation.

My colleagues across the way seem to be unclear as to some of the things we've done. I want to set the record very straight. The impression is being given that somehow our government has not adequately funded CCACs. I think it's important to point out that for community services delivered by CCACs, the funding has been about \$117 billion, and that is an increase of 70% since 1995. That is a tremendous increase.

*Interjections.*

**The Acting Speaker:** Order. I will not warn the member for Kingston and the Islands again. I will not warn the member for Scarborough Centre again.

**Hon Mrs Elliott:** We're talking about finding ways to increase care. There is absolutely nothing wrong with looking for ways to make each and every service provided by the government of Ontario, with our partners in the community, more accountable. That is what is being attempted here tonight, that is what we are debating, and our objective remains exactly the same: to find the best way to use every health care dollar available to the people of Ontario in the most effective way.

We have been listening. We have understood that changes need to be made, and this government is not afraid to undertake them. That is why this legislation is before us tonight.

**The Acting Speaker:** The member for Windsor West has two minutes to respond.

**Mrs Pupatello:** Let's recap Bill 130. The government bungled home care when they created community care access centres. They didn't create standards before they let the horse out of the barn. Everyone in the communities across the province called for standards. The government did not supply them. We warned about the managed competition system and suggested that there could be a problem. We suggested that you would be driving the nursing shortage into orbit, which has in fact happened. Now there are cutbacks because they've restructured the health system in other places, creating massively more demand in the home care sector, and they did not fund it accordingly. What the government did after that was blame the very organizations they created and said they were all mismanaged; it was their fault, not the government's fault. And so we have Bill 130.

They bring in a gag order to fail to address the real issues of home care. They refuse to invest, when we know it makes economic sense to do so and that it's the right thing to do in terms of health policy in where the public wants to go in receiving their home care services. They refuse to commit that the people who need them will get them.

This government is using this bill as some kind of guise to bring in standards. Bill 130 does not talk about standards. Bill 130 does not talk about funding. Bill 130 throws those same advocates who were working for the patients out the door, to be replaced by government appointees, government lackeys, to do the government's bidding and to hide all the critical financial information from all of us who want that information to see that our community needs are being met.

This bill is bad public policy. I urge all members of the House to vote against it.

**The Acting Speaker:** Further debate?

**Ms Martel:** It's a pleasure for me to participate in the debate. I want to indicate at the outset that I will be using the full hour we are allotted. Of course that's not going to happen tonight, given the time, but I will continue when next this bill is called.

Speaker, it's going to come as no surprise to you or to people who are watching that New Democrats are opposing Bill 130, because this bill does absolutely

nothing to improve home care in the province of Ontario but does everything to ensure that the government will assume complete control over CCACs in order to minimize, to muzzle, to silence the critics in those organizations who have been very vocal in the last number of months about this government's current underfunding of home care.

I intend to proceed in this way: I want to go back to the decision made by the government on around May 30, when they had their bureaucrats tell CCACs that there would be a freeze in the level of funding provided to community care access centres. It's important to do that so people will understand what the implications were of those freezes and cuts—because in many cases it was a cut—to people who needed service and why many people in CCACs became very vocal in their criticism of the government.

Then I want to look at the report from Price-waterhouseCoopers. The government has tried to say that it is as a result of this report that we have ended up with Bill 130. I'm going to point out that in fact all the recommendations contained in that report could easily be implemented without the government assuming control over CCACS. Also, it's interesting that the report talks very clearly about the increased investment in home care which is required, which the government repeatedly fails to mention during the course of the debate on Bill 130.

Thirdly, I want to look at the government's response to the criticism by CCACs, which is not a response to fix the problem. Indeed we all know there is a problem, because we are all getting calls from constituents who are having their home care and homemaking services cut. No, the government's response is to try and muzzle and silence and minimize the criticism coming from those very people whose job it is to go forward and advocate on behalf of seniors.

**Mr Caplan:** On a point of order, Mr Speaker: I always enjoy listening to the member for Nickel Belt. I think there really should be a quorum here to listen. Would you please check whether there's a quorum present?

**The Acting Speaker:** The part about you wanting everybody here to enjoy it and so on is fine. That's not a point of order. The thing about a quorum is. Would you check if there's a quorum present.

**Clerk at the Table (Ms Lisa Freedman):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Nickel Belt.

**Ms Martel:** The final two points I will be dealing with include the views of others who have comments to make about Bill 130 as well, because the minister would have the public believe that only the opposition is concerned about this bill and only the opposition believes that it is a blatant attempt for the government to take over community care access centres.

Finally, I want to make some points about why we need full public hearings with respect to this bill so we can have an informed and adequate debate about the situation of health care, home care in particular, in this province.

**2120**

Let me begin first with the end of May, when the government had bureaucrats tell community care access centres that their budgets would be frozen at last year's level. It's important to point out that for many CCACs that represented a cut in their budgets. The reason for that is that when many community care access centres ran a deficit last year, they received funds from the government to deal with any number of those deficits and the reasons for them. So when the government said, "You will be only funded at what your base budget is, not for the increased amount you received to deal with the deficit," that indeed did represent a cut in the services those CCACs provided last year.

*Interjection.*

**The Acting Speaker:** I'll not warn the member for Don Valley East again.

**Ms Martel:** As a result, most CCACs were then put in the untenable situation of recognizing that they had to deal with the deficit, because this government has also moved forward legislation that says, "You can't have deficits and you'll be personally liable," although it doesn't seem to apply to hospitals, as the Minister of Health recently announced. Those CCACs quickly came to the conclusion that most of them would have to implement plans to cut deficits, which would mean dramatic cuts in services to seniors, to the disabled and to those being discharged from hospital.

It was as a result of their coming to that conclusion and recognizing the dramatic impact those cuts would have on the people they are supposed to serve that many in CCAC boards and many executive directors and, frankly, many staff came forward and were very critical in a public way of the government's current underfunding of home care.

Let's deal first with the CCAC of Waterloo region. Last year, it assisted over 18,000 individuals and families, provided 250,000 nursing visits, 775,000 hours of personal support and homemaking and assisted 2,500 people who were able to make the transition to long-term-care facilities. It's worth noting that this CCAC was awarded its second third-year accreditation, the highest award provided by the Canadian Council on Health Services Accreditation. Why? Because this national body affirmed that this CCAC had the appropriate accountability and quality monitoring standards in place.

They had a major deficit to deal with, and the impact of this was discussed very publicly at a meeting held in the region on June 12. Some of the dramatic actions that had to be taken were as follows: starting June 1, the provision of personal support/homemaking services to the highest-priority clients only. Those clients, just to know who they were, were defined as follows, and this is in a notice sent by the CCAC to physicians and hospital

staff, effective June 4: "Priority A clients: the determination of priority A is based primarily on clients who, as a result of a health condition or inadequacy of their home environment, are at risk of dying or suffering the breakdown of an essential bodily function or are suffering from severe self-neglect requiring that they receive services immediately. These are clients who are highly vulnerable and require immediate assistance." These were the only clients the CCAC was able to deal with as a result of this government's cut to their budget, people who were going to have an essential bodily function fail and put them at risk of dying.

The second impact was the following, and it began July 1: that was the introduction of nursing caps in the hospitals to streamline referrals and reduce the volume of nursing visits provided in the community. "The CCAC will have to work closely with hospital staff to ensure that, wherever possible, education and teaching of patients is completed prior to discharge and that community nursing services are targeted to those in greatest need."

The third impact began September 1, the introduction of longer waiting lists for therapy service to manage the growth and the reduction of respite care hours for caregivers and the reduction in homemaking assistance to clients who were currently receiving CCAC services.

All that resulted in a situation where essentially only priority A clients have been able to receive homemaking services, those who are close to dying. The client B group, a group of clients who really required personal support to remain in their own homes, are now on a waiting list. As of October 20 there are still 350 of those clients on a waiting list, trying to get services.

The impact in Waterloo was quite dramatic. That community care access centre did have a public meeting and made it very clear that as a result of the government's current underfunding, these were the dramatic actions they would have to take, which of course they recognized would very negatively impact on their clients.

Not only did all of those things happen, but in a recent analysis of the impacts of the cuts, the same CCAC has told all members—because we've all received this—that the number of crisis placements in long-term-care facilities has increased by 40%, compared with last year at this same period. So exactly what we said would happen has happened. People who couldn't afford to receive services would have no choice but to enter long-term-care facilities to get them the home care services

and the health care services they needed, which has a huge cost on the health care system and which is a most inappropriate way to deliver health care when in fact people can remain in their own homes.

My own CCAC was very vocal. I suspect both the executive director and the chair of the board are on the minister's purge list, because they have been vocal right from day one about the impacts of the government's underfunding. They served 8,300 people last year. They had volumes of the following: 164,000 units of nursing service, 364,000 personal support and homemaking hours, 28,000 units of therapy services, and 679 admissions to long-term-care facilities where they helped in the transition. They came forward on May 23 in a very public way. Both the board chair and the executive director held a press conference and made it very clear that they were in the untenable position of having to cut \$1.8 million from their budget, which would mean dramatic impacts on service levels that they wanted to provide to clients in Sudbury-Manitoulin but could no longer afford to do so.

Some of those reductions are as follows: a waiting period of one month for any new clients admitted for homemaking services; major reductions in the amount of homemaking services provided to people in need of personal care; elimination of in-home personal support and homemaking to people for whom the programs exist in the community, notwithstanding that these other programs may have limited resources; elimination of in-home professional services—nursing, physiotherapy, occupational therapy, social work, nutritional counseling, speech therapy—for people who may be able, with little or no risk, to travel to receive these at clinics, even though in Sudbury-Manitoulin people are travelling for two and three hours to come to Sudbury to receive some of those services; deep cuts in the amount of medical supplies provided; reductions in medical equipment rentals; and new guidelines to determine how much service and what kind of service we could provide to new clients.

Speaker, I recognize the time. I can stop at this point, because it would be easier for me to stop here.

**The Acting Speaker:** Then I think we'll call it an evening. You'll of course have your turn to finish it up the next time it's called.

It being 9:30, this House stands adjourned until 10 am tomorrow.

*The House adjourned at 2128.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Beaches-East York	Prue, Michael (ND)	Hamilton West / -Ouest	Christopherson, David (ND)
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Etobicoke-Lakeshore	Kells, Morley (PC)		
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
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Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
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Scarborough East / -Est	Gilchrist, Steve (PC)	York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 29 November 2001

Jeudi 29 novembre 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 29 November 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 29 novembre 2001

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### CHARITY FUND-RAISING ACTIVITIES ACT, 2001

#### LOI DE 2001 SUR LES ACTIVITÉS DE FINANCEMENT DES ORGANISMES DE BIENFAISANCE

Mr Crozier moved second reading of the following bill:

Bill 26, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fund-raising activities of legitimate charities / *Projet de loi 26, Loi modifiant la Loi de 1999 sur la sécurité dans les rues et le Code de la route pour reconnaître les activités de financement des organismes de bienfaisance légitimes.*

**The Acting Speaker (Mr Michael A. Brown):** The member for Essex has up to 10 minutes for his presentation.

**Mr Bruce Crozier (Essex):** I'm pleased to have with me some moral support this morning. I would like to introduce to you Richard Metzloff, who is client of the year in Ontario for muscular dystrophy. He's in the Speaker's gallery and I'm pleased to have Richard with me.

As well, I have George Henderson, the national manager of firefighter relations and communication for the Muscular Dystrophy Association of Canada, and Yves Savoie, the national executive director for muscular dystrophy. They are in the members' gallery.

As well as their support, I would appreciate the support of my colleagues, the members of the third party and, most importantly of course, the members of the government caucus.

This bill is short and sweet and is needed. Just a very brief explanation of what this bill does: it is to amend the Safe Streets Act so that charities that are registered under the Income Tax Act and have been permitted by bylaw of the municipality or a resolution of the council of the municipality may conduct their fundraising activities on or beside roadsides, in parking lots and the like.

To give you just a brief history, what happened of course was that when the Safe Streets Act was passed in

1999, it was intended for, I believe, and has been effective when it comes to, squeegee kids, as they're referred to, mainly on the streets of Toronto, and I have no argument with that. The bill, as I said, has been effective. But what happened was—and I don't think this was expected when the bill was drafted—that it had a much broader effect. What it did and what it has done and who it has hurt are those charities that, historically, have entered upon our streets to raise money. Most notably, ones that we would recognize right away would be the firefighters of Ontario and their support of muscular dystrophy and perhaps Goodfellows in your cities where they sell their Christmas papers.

What has happened is this: when it was first pointed out how broad the Safe Streets Act was and how it was going to affect these charities, the reaction of the minister of the day was, "Charities won't be bothered. They'll still be able to carry on their activities." Then there was a later reaction from the Attorney General of the day that fundraising events in any of these venues are illegal and they would have to abide by the law.

I will admit that in some areas these activities have been able to be carried on because police services have simply looked the other way, but that hasn't been the case everywhere. There have been instances, and we have them documented, where either there has been a complaint by a citizen on which the police services then had to act, or there are municipalities where the police services quite rightly have said, "You just can't carry on this type of fundraising activity." It's put the police services in a bit of a spot. You might say this law has handcuffed them.

What we want to do is abide by the law. I think everybody wants to do that. We simply want to change the law so that registered charities will be able to conduct these activities if they go to their town councils and receive permission through a bylaw or through a resolution.

When I refer to the bind it puts our police services in, Staff Sergeant Dave Rossell, a spokesman for the Windsor Police Services, stated this in regard to the debate around the Safe Streets Act: "We can't pick and choose which laws we want to enforce and those we don't. We may be put in a position where we have to enforce." This small amendment to the Safe Streets Act and the Highway Traffic Act will allow our police services to abide by the law and not have to pick and choose.

As an example, a firefighter fundraiser was shut down in Welland on August 25 of this year after a complaint was lodged under the Safe Streets Act. This has been

reported across the province and perhaps many of the members in the Legislature have read about it.

Firefighters have been doing roadside events for over 50 years, and not once in those 50 years has there ever been a report of an accident or an injury resulting from these activities. Firefighters are safety professionals and they really don't need, I suggest, legislation to tell them how to keep safe.

The intent of Bill 26, I emphasize, once is to allow registered charities to solicit where municipal bylaws allow, and that's all it is. It makes a slight amendment to the Safe Streets Act and the Highway Traffic Act because, technically, many kinds of roadside solicitation could be interpreted as illegal under the Highway Traffic Act, but there was never any problem until the Safe Streets Act came along.

1010

I also point out that not only does the Safe Streets Act ban fundraising activities on the roadways, but it also bans them in parking lots, near banks, bus stops and pay phones. This has proved to be very problematic for the charities.

I want to give you some idea of what the effect has been from a monetary standpoint. The Muscular Dystrophy Association has predicted that this may cost them as much as \$700,000, because one of their main fundraising activities, if not the main one, has been through firemen's boot drives. This has had a very detrimental effect on that. We can also point out that there are other charities. I've already mentioned the Goodfellows; many of us in this Legislature have stood on street corners and in roadways at traffic signals selling Goodfellow newspapers at Christmastime. You and I don't want to do anything that's illegal, do we, Speaker? The Kinette clubs in Ontario, the Canadian Cancer Society, Ontario Students Against Impaired Driving, and even the Windsor Regional Hospital burn unit in my area have been affected by this Safe Streets Act and would be assisted immensely by the amendments to that act.

I'm asking today for the support of everybody in this Legislature, and beyond that, if we can have this pass second reading, as it did in the last session—Speaker, you will recall that it passed second reading and unfortunately died on the order paper. I won't give up, so I think what you could do best today is to support me, but, more important, support those on whose behalf I'm speaking: the Muscular Dystrophy Association, the Goodfellows, the Kinettes, the students in universities. They all want your help by supporting this legislation, and I respectfully ask my colleagues in this Legislature to support this bill and pass its second reading today.

**Mr Peter Kormos (Niagara Centre):** New Democrats support the bill. We're going to vote for it. The fact is, the so-called squeegee bill, the Safe Streets Act—oh, give me a break. It's a stupid bill. It was a stupid bill to begin with. It never should have been passed. I understand the motive of the author of this bill in trying to narrow it down to the narrowest issue, to perhaps give it some more currency with the government members, but the squeegee bill was a stupid bill and still is.

When I go home from Toronto down University Avenue or down Spadina, there are still people at the end of University and Spadina, except, you see—and I'm good for a loonie or toonie, and it doesn't offend me at all. The fact is that the squeegee bill didn't eliminate homeless people in the city of Toronto, except now they're at the end of University and Spadina without a squeegee, because that's a dead giveaway. Do you know what I mean? So I don't get my windows cleaned. I'm being very candid that on a slushy winter day, like the days we're approaching, I welcomed the squeegee kid, person, at the end of University Avenue or Spadina so I could get at least a clean windshield before I hit the Gardiner. I wish there were a couple down at the area of the Burlington Skyway. I'm serious. They're still there—again, they're still being forced to panhandle—except they can't carry squeegees. They can't perform that service because, as I'm sure the parliamentary assistant for the Attorney General will explain to us, it would be evidence of the offence of squeegeeing.

Let's not forget the other parts of this silly bill. The parliamentary assistant may want to comment on the stats, because this Safe Streets Act was about squeegee kids; it was also about throwing away used condoms. It was designed to permit a charge to be laid if you threw away a used condom. At the time I reflected on the fact that I wouldn't want to have to be the police officer collecting the evidence. I'd like the parliamentary assistant to tell us exactly how many used condoms have been recovered and are in evidence lockers or storage at police stations either in Toronto or anywhere else in the province.

Please. The bill is about this government trying to—it wasn't just imagery; it wasn't just puffery. One of the things that this government has done—very American-style and very frightening—has been, rather than to specifically address issues like poverty and homelessness, they simply wanted to obliterate the evidence of it. They wanted to clean up the streets, which means sweeping the streets clean of poor people and of panhandlers. You can bust as many panhandlers as you want; it doesn't change the fact that there are thousands of homeless people in this city who are forced to revert to begging for alms, quite frankly, a historical and honourable thing in and of itself.

Let me tell you what happened in Welland. We all remember the "Oh, don't worry" admonitions by the Attorney General who authored the squeegee bill. "Oh, don't worry. Oh, the bill's not designed to interrupt bona fide fundraising." I recall at the time—check the Hansard—saying that all you need is one wacko, one nutbar, to complain, and then the police have to go there even though the police were prepared to use their discretion. One wacko, one nutbar, will compel the police to intervene. Well, in 2000 I was out on the streets proudly breaking the law, because the bill was in effect. I was proudly breaking the squeegee law, along with volunteer firefighters. We were right outside the Welland Tribune on East Main Street.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** You were a squeegee kid.

**Mr Kormos:** You bet your boots. I was out there with firefighters with the boots. We were stopping cars. We were soliciting contributions. The Welland volunteer firefighters have always been—you tell me if I'm wrong—number one with their boot drive. You bet your boots. They've always been around number one in terms of the amount of funds they raise. I was with them in 2000. We were ready for anything. If they were going to cuff us, print us, mug-shot us and throw us into the cells, let 'er go.

In August of this year—because, again, this happens just before Labour Day; it is part of all that fundraising activity that takes place around the Labour Day weekend or just preceding it. I had to tell the volunteer firefighters—Steve Pandur should be here today talking to this bill, because he would leave a distinct impression on you. He lives up on Highway 58, on Merrittville Road. He's on the east side there just before Hurricane: an incredibly hard-working guy and also an enthusiastic volunteer firefighter. He's out there all the time as a volunteer firefighter, in fundraising activities. If there's a charity event going on, Steve Pandur is there. I don't know where he finds the time, but he does. Steve Pandur is there because he plays a major role. Again, he would caution me not to refer only to him, because there's a whole bunch of people, women and men. Firefighters come in from Port Robinson, from Thorold, to participate in this street corner fundraiser.

This year they knew I couldn't be with them. I was out of the country. I was on that human rights tour that I told you about before. They knew that. I get back to town and find out that sure enough, it took one wacko, one nutbar, to call the police, and the police are apologetically telling the firefighters out there on the corner, "Look, guys, we don't want to do this. Our attention had been diverted in previous years, but unfortunately, this wacko compelled us to come out here," and the firefighters had to shut down their fundraising campaign.

1020

I tell you that I estimate that out of that campaign alone in Welland, just at that street corner opposite the Welland Tribune office, MD lost a few thousand bucks. You know what a few thousand bucks can do, especially when it comes from community after community after community, and especially when you've got a government that's less and less interested in funding the sorts of things—the research and support—that these associations provide? I'm looking over here, because here are some of the folks who know bang on. They know. They live it.

At the end of the day, don't blame the Welland cops. Don't blame number 3 division and the division commander. They did everything they could. Don't even blame the wacko who called them; we're never going to rid ourselves of the kind of nutbar who would complain about—well, you can't. It's volunteer firefighters doing a fundraising campaign. I've got to commend my friends who were out there. They demonstrated pacifist tenden-

cies, because they knew who called the police. They demonstrated great discipline and restraint; their Ghandian sentiments prevailed. It's just as well that I wasn't there because, although I'm a peace-loving person, I think I would have shared the incredible anger they had.

The fact is that this was all put to the Attorney General and the government in the debate around this stupid bill—not the bill we're debating today; the bill we're amending. It's a stupid bill. It doesn't solve any problem. In fact, what it has done is create problems, because now we've got courtrooms, overtaxed here in the city of Toronto, as they are across the province. I've raised, over the course of the last week and a half, incident after incident of plea bargaining where, because of the backlogs, because of the incredible jams in the courts, second-degree murder charges are being plea bargained down to manslaughter with six-year sentences. We saw another one this morning. Did you read that? Once again, second-degree murder sounded pretty good to me. I mean, you've got a dead body, you've got a confession and it was a domestic murder; in this case it was two men. A gay man was murdered, and his life was worth six years in a plea bargain?

I know the crown attorney in that case. He's a good crown attorney, a very competent one, a very skilled one. That makes it all the more telling, because when skilled, competent crown attorneys feel compelled to plea bargain second-degree murders down to mere manslaughter and then agree to six-year sentences to boot, it means that it isn't an idiosyncrasy, it isn't one disinterested crown here or there. It means there's a systemic problem. It means the courts are in serious trouble. It means the criminal justice system is in serious trouble because it's backlogged.

So how does this government address that? Well, they create a new law so now cops can occupy their time busting kids with a lot of earrings and green hair and a squeegee in a bucket and load up the courts with that stuff, as if the police aren't already overly taxed in terms of the sorts of things they've got to do. The squeegee bill is a stupid bill. It hasn't solved any problems; it's created problems.

The bill before us today starts to solve some of those problems. But let me put this to you. If I have any concerns at all—and I say this to the author of the bill in the most benign way, and I hope the bill does pass, I really do, because I qualitatively can't distinguish between, yes, a legitimate charity and a poor person who's homeless asking for a loonie. I support the bill today. I agree with it. It's the beginning of the repeal of the squeegee bill. Again, I don't quarrel with the author of the bill at all. I have a private member's bill that would repeal the whole squeegee bill and get rid of the whole stupid mess the government has created. If we're going to deal with homelessness, let's deal with homelessness in a pragmatic way of addressing the issues of poverty. But I have as much regard for a sad soul on our streets pleading for a loonie so they can feed themselves that

day as I do for the great work done by the volunteer firefighters.

That's why I'm supporting the bill and that's why I'm encouraging all of us—all of us—to step back for a minute and understand that our job is not to create more problems; our job should be to help solve problems. If Steve Pandur were here today, he would make a distinct impression. I suspect he'd want to talk to the parliamentary assistant privately, and they'd have a good conversation. He'd be talking, not to MPPs—don't forget, the minimum wage here is \$78,000-plus a year, and there is but a handful of people who don't make more than that because of the way perks are added on to the salaries here. There's nary a volunteer firefighter who makes that kind of income—there may be some who do; I won't quarrel with that. There's nary a person living with muscular dystrophy who makes that kind of income, and there are thousands of homeless people in this province whose reality, whose lives and whose circumstances don't even permit them to dream about that kind of income.

Let's understand that it's hard-working, good folks out there who do the good things like the boot campaign by firefighters, like Goodfellows, as has already been talked about, like any number of—like university students who are out there too raising money, doing clever stunts, stunts that attract attention. Cut the crap about this being a public safety bill. Please. The Highway Traffic Act deals with any issue around public safety and the use of the roadways. It has nothing to do with public safety. It was this government's attack on homeless people and on squeegee kids, and at the end of the day they threw a net so wide that they picked up volunteer firefighters and muscular dystrophy campaigns as well.

**Mr Tilson:** I'd like to speak to the bill as introduced by Mr Crozier, the member from Essex. I will be speaking against the bill.

**Mr Crozier:** Why doesn't that surprise me?

**Mr Tilson:** Well, there are always people for and against, and I have to be against this particular bill. However, I do admire the determination by the member from Essex. He introduced this bill, as he stated, about a year ago, in April 2000, I believe. I expect it will be controversial today, as it was then. The vote was tied, and you, Mr Speaker, in your capacity as Speaker, broke that tie on second reading, which was quite appropriate for you to do, and I think the bill was assigned to the general government committee; I don't know whether it ever reached the committee. I agree, it did die on the order paper. Although I will be speaking against it, I again congratulate the member on his determination to bring this issue forward.

I'd like to remind the House what the intention was. My friend the member for Niagara Centre gave his interpretation of the Safe Streets Act, and I'd like to now give the government's interpretation of the Safe Streets Act. Its main purpose is to keep our streets safe. It's to prevent car accidents. It's to prevent motor vehicles from colliding with one another. It's to prevent motor vehicles from colliding with pedestrians.

## 1030

The Safe Streets Act, as well, responds to requests for government action from municipalities, police, business and residents. The member over there doesn't like this, but if he does recall the history of the Safe Streets Act, we did receive a number of requests from municipalities all across this province on the problems that he has reiterated. It responds to requests to curb aggressive solicitation on Ontario streets. Aggressive solicitation, often experienced as squeegeeing and panhandling, had been reported as a problem across this province.

The act fulfills a promise that was made by this government in its Blueprint, a promise to stop aggressive solicitation and squeegee activity and to protect people's ability to use public places in a safe and secure manner. The act regulates certain activities by creating new provincial offences and amending the provisions of the Highway Traffic Act. It gives police the power to arrest and the courts the ability to fine offenders and sentence repeat offenders to jail.

The Safe Streets Act bans aggressive solicitation, soliciting in situations where people are not free to walk away—it bans those situations—it bans the disposal of objects, such as hypodermic syringes and needles, without taking reasonable precaution in parks, schoolyards and other public spaces.

Bill 26, as introduced by the member for Essex, Mr Crozier, as he has indicated, wishes to amend section 3 of the Safe Streets Act to provide an exemption from the act's prohibition against captive-audience solicitation. That's solicitation that would occur in situations where people are not free to walk away, for example—and the member won't like the example—solicitation in a phone booth. That's another intent of what the bill is, and, of course, Mr Crozier wishes to change that somewhat.

This exemption under Bill 26 would apply to fundraising activities by registered charities which would also be permitted by municipal bylaws or by a resolution of that municipal council in that particular municipality.

Bill 26 also proposes a similar exemption to section 177 of the Highway Traffic Act, which currently prohibits a person on a roadway from soliciting persons in motor vehicles.

It's the government's position that there's no reason why this Legislature should treat persons who are soliciting for a third party, even a charity, any differently than persons who are soliciting for themselves. If the soliciting is carried out in an aggressive manner or if the person is soliciting in a captive-audience situation, including soliciting a motorist stopped in a car on the roadway, then public safety, including that of the solicitor, may be put at risk. The Safe Streets Act is concerned with the ability of the public to use Ontario streets in a safe and secure manner. In fact, under the Highway Traffic Act, it has always been an offence for someone on a roadway to stop or attempt to stop any vehicle to offer or provide any commodity or service to anyone in a vehicle. That's always been the law. The Safe Streets Act does nothing to change that. Such activity raises safety concerns.

With regard to the Highway Traffic Act, the Safe Streets Act simply amends it further and prohibits a person from approaching on a roadway a stopped vehicle for the purposes of solicitation.

It should be noted that the Highway Traffic Act does not prevent someone from soliciting money if the person soliciting is on a sidewalk, shoulder, boulevard, median or other place that is not a highway. The Safe Streets Act doesn't prevent this either.

Raising funds for charities and increasing public awareness of charitable causes are important and worthwhile tasks. We all know that. I know the intent of the member for Essex is to help charities, and we want to help them too. I know he's sincere in that effort. It's my hope, and indeed this government's hope, that charities will work with their local police service boards and police officers in planning charity events that are in compliance with the Safe Streets Act and the Highway Traffic Act. Many charities are already doing this.

It must also be noted that there is currently a constitutional challenge with respect to the Safe Streets Act before the courts. Some people who had been arrested for violating the provisions of the act challenged the legislation, and that went to court. The Safe Streets Act is intended to address aggressive squeegeeing and soliciting activities and to protect the people's right to use public places.

On August 3 of this year, the Ontario Court of Justice released its ruling and upheld the constitutionality of this legislation. The court found all of those accused guilty. On August 14 of this year, the appellants appealed this matter. I expect it will be heard in March. As we all know, because this matter is before the courts, it would be inappropriate for anyone in this House, particularly anyone on the government side, to comment further on that particular case, but it is under appeal.

With regard to this bill, I would respectfully submit that it's unnecessary, that current legislation not only protects the people's right to use public places and ensures the safety of Ontario's roadways, but also ensures that charitable organizations can continue to conduct fundraising activities. They can do so by working with their local police services in planning charitable events that are in compliance with the Safe Streets Act and the Highway Traffic Act.

So again, I remind all of us in this House that the safety of the streets is most important. When you're voting for that bill, I ask that you remind yourself as to what the intent of the Safe Streets Act, as I have outlined, is. I would therefore suggest that all members of this House defeat, with respect to the member for Essex, his bill.

**Mr Michael Bryant (St Paul's):** Congratulations to the member for Essex for his perseverance. This bill is a big legislative squeegee brought in here to help wipe the egg off the face of this government for plowing ahead with a squeegee bill that is hurting charities in Ontario. This bill has received the support of this House before. I say to members who are maybe watching this debate, and

I hope you are, I hope that you have the courage of your convictions to come back and support this bill again for the sake of these charities. Right now I look out into this Legislature and I see only, with an exception, the reservoir dogs of the phony crackdown caucus in the government. That causes me great concern.

We told this government during debate and during committee hearings that this bill, the sweep-it-under-the-rug law, was going to negatively impact charities. The government was told and yet they said, "We know better." Check the Hansard.

#### 1040

Attorney General Flaherty initially denied the fact that it was going to make any difference and then he changed his tune. He said, "No, no, no, everybody must obey the law," I guess even stupid laws.

Staff Sergeant Dave Rossell, a spokesperson for Windsor Police Service, said, "We can't pick and choose which laws we want to enforce and those we don't." The government was told this law was going to crack down on charities, and yet they said, "We know better," and they proceeded further.

Then, of course, it hit the fan. The government thought that police and crown prosecutors would exercise discretion and not prosecute charities. That was their assumption. They thought, "Ah, well, whatever. Maybe that's what the law says. We'll just proceed anyway"—the dogmatism of these reservoir dogs in the phony crackdown caucus. But what did happen, that they didn't expect, was that municipal town councils would be advised by their municipal lawyers that they can't give permits for charities to conduct this activity for the simple reason that it's against the law. So we saw it happen.

In London, the University of Western Ontario was told that they would have to find alternative means in their efforts to raise money for charities. Then we found out, of course, that the Shinerama was not going to be able to proceed with charitable activities. Firefighters across Ontario who conduct boot drives to raise funds for research into neuromuscular disorders were told that their fundraising activities were banned by the bill. Toronto's Hospital for Sick Children, which raised \$5,000 for the Herbie Fund before this sweep-it-under-the-rug act came in, was told that the boot drives would have to end and that they'd have to find other alternatives. We know the Muscular Dystrophy Association of Canada is expected to lose something along the lines of three quarters of a million to a million dollars every year. You were told that by these charities.

Then the Attorney General did something which I think he thought was quite clever. The Attorney General wrote a letter—as if they could take that letter to the bank; as if the charities could take the letter to the municipal councils and say, "Look. The Attorney General has ruled on this matter." I know because I talked to many of them. They thought this was some very significant event, that the Attorney General had ruled on the matter. What they didn't know was that the Attorney General is just a litigant, is just one voice in our judicial system and not

infallible. Win some; lose some. If the Chief Justice of Ontario made a ruling—or any judge, for that matter—that this would not impact charities, that would be different. That would be the law. I think it was a little bit pernicious, at best, for the Attorney General to try and paper it over with that letter. They took that letter to those councils and they took it to those charities and they found that it was basically not worth the paper it was printed on. Yet the government said, “We still know better. We’ve now been told several times—it’s now been proven—that charities are being negatively impacted, but we’re going to proceed with this anyway”—those dogmatic reservoir dogs in the phony crackdown caucus.

Then along comes the member for Essex’s bill. Everybody knows this is a big booboo for this government, “So let’s fix it.” So the members came in here and said, “We’re going to fix it.” The government continued with its dogmatism, but that’s what we’ve come to expect of the Harris government.

But the members of this House came in and said, “We’re going to fix it,” and they did. Of course it got on the order paper, and now we have the opportunity to tell the executive, I say to you members of this House, yet again, that this problem must be fixed.

I asked a question of the Premier—it may be the only time I ever got to ask Mike Harris a question: “Premier, you know very well that clause 3(2)(f) of the squeeze bill means that Shinerama, the muscular dystrophy association, and all other charities that raise money on street corners cannot solicit for charitable donations.” The Premier denied it. He denied it. That was April 10, 2000. We have people here in the gallery, and we have a multitude of evidence presented by the member from Essex which makes it clear, and we all know it’s clear, and I didn’t hear a word from the parliamentary assistant to the Attorney General to deny the fact—the fact—that these charities are being cracked down on by this bill. Nobody is denying it. I haven’t heard it. The Premier denied it in April, but then of course he found out that it’s true. Yet the government still continues to take the position that they’re not going to admit a mistake has been made and they’re going to continue to punish charities to fulfill some phony crackdown promise.

Then it happened again. We had an event in Welland on August 25, 2001, where a fire fundraiser was shut down. So we’re back. The member for Essex is back. He’s back to say to you, “The problem persists. The charities continue to be punished, and it’s an opportunity now for us to fix this.”

If you want to vote against this bill, then what you are saying is that we’re making this up, that the member for Essex is just making this up, that the members in the gallery are just making it up. If you vote against this bill, I want you to cast your eyes over to Messrs Henderson, Savoie and Metzloff. Think upon those who receive the benefit of these charitable activities and tell them that they’re just making this up. Tell the firefighters that they’re just making this up. Tell the town councils that aren’t providing the permits that they’re just making it

up. Tell the police that they’re just making it up. This government continues to make it up as they go along.

**Hon Rob Sampson (Minister of Correctional Services):** You’re making it up.

**Mr Bryant:** I’m told I’m making this up. I’ve been told by the Minister of Correctional Services. I say to the Minister of Correctional Services, are you telling me that the muscular dystrophy association is lying? Are you saying that they’re lying? You’re lying, I say to the minister of corrections. You’re lying.

**The Acting Speaker:** Order. The member will have to withdraw.

**Mr Bryant:** I withdraw.

I say to the members of this House, don’t listen to these reservoir dogs. Don’t listen to these reservoir dogs championing this phony crackdown. Do the right thing, in the name of the firefighters raising money for these charities and support this law.

**Mr Wayne Wettlaufer (Kitchener Centre):** On a point of order, Speaker: Since when is the phraseology “reservoir dogs” parliamentary in this House?

**The Acting Speaker:** It may cause some discomfort. I don’t think it’s out of order, however.

**Mr Kormos:** On a point of order, Mr Speaker: If I could ask the member to withdraw that. For him to refer to these people as “reservoir dogs” is an insult to Quentin Tarantino.

**The Acting Speaker:** Order. The member for St Paul’s.

**Mr Bryant:** In the rush of my closing, as I said, I ask members of this House to accept the submissions of those charities that in fact we need to change this bill. For the sake of those who benefit, do it. I ask this House to support the bill.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I’m very pleased to join in the debate this morning. I understand what the member from Essex is trying to accomplish. But in my riding of Barrie-Simcoe-Bradford, I fully witnessed the Georgian College students out doing their Shinerama activities earlier this year and I can say that we had no problems whatsoever because they weren’t out on the roadway. If they’d been out on the roadway, impinging and getting in the way of traffic, everybody would have a problem. But they respected the law and conducted their activities in a safe manner.

I can understand what the intent of the member is here, but the practicalities of it do not make sense in terms of a mechanism to make sure that this can work for the police in administering it, in terms of enforcing it. The Highway Traffic Act does not prevent someone from soliciting money if the person soliciting is on a sidewalk, shoulder, boulevard, median or other place that is not a roadway. The Safe Streets Act doesn’t prevent this either.

1050

What we’re dealing with here is to make sure that the activities of anyone are not conducted on a roadway. Quite frankly, I cannot for the life of me understand what the members opposite are complaining about in terms of safety and what the Safe Streets Act and the Highway Traffic Act are dealing with. The Highway Traffic Act

has always prevented activity of any nature that would impede traffic flow and put the public in danger. What the member is proposing here is exempting certain groups from that type of activity. I don't think any group wants to be involved in charitable activities or any type of activity that puts them in danger and puts them on a roadway.

It must be said that this government appreciates the good work voluntary organizations do by raising money for charitable organizations. We recognize how much these activities contribute to the well-being and strength of Ontario communities, and it's this government's hope that charities will continue this good work by co-operating with their local police services to plan charity events that are in compliance with the Safe Streets Act and the Highway Traffic Act. Many charities are already doing that.

Certainly in my riding I see a lot of charitable activities going on. I'm involved in a lot of them. But never would you see activities being conducted out on the roadway. So why would we be proposing something reckless, I would say, and certainly not in the public's interest in terms of safety? We don't want to put people at risk and nobody wants to put themselves at risk by conducting any kind of activity out in a roadway. Why would you exempt any activity that would put the public at risk and that at best you could say is a reckless piece of legislation, just pure political politicking?

The intent of the Safe Streets Act, in terms of what it was trying to do, it has accomplished in terms of aggressive panhandling and squeegeeing activities. The Highway Traffic Act has always prohibited activity in a roadway. So why would we support this legislation, which would permit such activity in a roadway? That's what I'm going to continue to emphasize: why would you exempt any group and why would you permit any activity to be conducted in a roadway?

Depending on the community and depending on what type of activity is being conducted—I have had no problems in my riding, none whatsoever, in terms of the charitable groups and how they're conducting themselves in a safe manner to reach out to the public and make sure they're—

**Mr Bryant:** You should get out sometime.

**Mr Tascona:** I'm out a lot, Mr Bryant, a lot. I can tell you, all you're talking about is nonsense, total nonsense, member for St Paul's. You've got to work together with your local police and respect your local police, and that's what we do in our riding.

**Hon Mr Sampson:** On a point of order, Speaker: I would not like us to proceed any further today without knowing that there are some students from two schools who have journeyed quite a distance to come and watch today: in the west gallery, Pineland Public School, from Wellington, I think—that's what I've been told—and in the east gallery, Ventura Park, from Thornhill.

**The Acting Speaker:** That of course is not a point of order, but welcome.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** First I want to commend my

colleague for his determination to continue to bring forward good amendments that would make better laws in this province. He certainly has championed this cause and is recognized, in his own community certainly and across the province, for his very worthwhile efforts in this matter.

I want to speak this morning about the impact the Safe Streets Act has had in rural Ontario, legislation that in my community really was not expected to have very much of an impact at all, but in fact it has. I have heard from the firefighters in my communities who have been affected. I just want to make reference to an example.

The member for Barrie-Simcoe-Bradford indicated that in his riding he hasn't heard of any negative impact. Because maybe in his part of the world it hasn't happened, the fact that it may be happening in other parts of province really doesn't matter. Well, it matters to me. On the Labour Day weekend, when the firefighters typically hold their boot drive for muscular dystrophy, I drove through the community of Roblin and saw two firefighter boots sitting on the side of the road, in the hope—and there are signs to explain—that people going the speed limit will pull over, stop their car, get out and run back to the boots and put in some money. There is a gas station across the road, and I pulled over just to observe how many cars actually did that. In perhaps five to seven minutes, there was none. The boots sat there without the benefit of people stopping to make donations to that very worthy cause. And that has an impact. As my colleague from Essex explained earlier this morning, it has had an impact with the firefighters who raise money for muscular dystrophy, in that they have not been able to raise the over \$700,000 they once did because they are no longer able to stop people on the roadway, people who were always very happy to support the efforts of firefighters.

Yesterday in this Legislature we were the recipients of some very fine hospitality of the firefighters of the province of Ontario. I know there was more than one conversation about this bill and the fact that it was going to be debated today. The firefighters in Ontario continue to support the member for Essex's initiative in this regard—the firefighters, the people we admire and depend on and thank for their tireless efforts not only to keep our community safe but also the work they do to ensure that children with muscular dystrophy will have what they need. Their very good efforts have been hampered.

When the government members say they cannot support it, it begs the question why. How is it that it will have any impact on their intention with the Safe Streets Act? My colleague has indicated that anyone who would exercise such an activity on a roadway would have to be a registered charity and they would have to have the permission of the local municipality. I think those are two very reasonable qualifications.

If this bill is passed, it's not going to enable the squeegee kids, the targets of the government bill, to come out and engage in their activity again. Quite the contrary. That's not the intent of this bill. So when the member for Barrie-Simcoe-Bradford says the members of the opposi-

tion are just complaining, that's not what this exercise is at all. You need to understand that we are here representing the many people who've contacted us—and we know they've contacted members of the government—to say that this law needs to be made better because it is impacting people in a way that was not intended. The member for Essex has brought forward a bill that will enable those people who have been adversely affected not to be. It's not a matter of just complaining.

We have received petitions from thousands of people in the province of Ontario. It's not just our idea. It's not just the idea of 36 people here in the official opposition party. We are speaking on behalf of thousands of Ontarians who want to see the member for Essex's bill supported because it will be a better law for them, for the communities and for the charities in Ontario.

**The Acting Speaker:** The member for Essex has two minutes to respond.

**Mr Crozier:** I want to thank my colleagues from Niagara Centre, Hastings-Frontenac-Lennox and Addington and from St Paul's for their support. I also want to thank the charities like muscular dystrophy, the firefighters, Kinette clubs, the Canadian Cancer Society and Ontario Students Against Impaired Driving for their support.

I don't really think that when the Safe Streets Act was drawn, those who drew the bill, who were consulted on the bill, sat there and said, "You know, in addition to the squeegee kids in the streets of the city of Toronto, we want to keep Ontario's charities off the roads." I don't think they did that. I think what happened was when the bill came out and we pointed out to them that that's going to be the result of it, there was a knee-jerk reaction. At first it was, "Well, they needn't worry about that. We'll be able to work around that." Then the reality of it hit, that it would be against the law for them to do that and "We can't allow them to do that."

So all I'm asking for, if this isn't the bill to do it and if it doesn't say it in the right way, then amend the bill and say it in the right way. If you don't even want a private member's bill, for God's sake, government, do something to help these charities. They're losing hundreds of thousands of dollars and you can't just say, "Well, go up on the sidewalk and do it." It won't work. They've had a 50-year proven record of raising money and you've wiped it out. So why don't you do something to help them?

**The Acting Speaker:** Thank you. This completes the time allocated for debate on this ballot item. I will place the questions related to it at 12 o'clock noon.

1100

## CELEBRATION OF PORTUGUESE HERITAGE ACT, 2001

### LOI DE 2001 SUR LA FÊTE DU PATRIMOINE PORTUGAIS

Mr DeFaria moved second reading of the following bill:

Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario / Projet de loi 120, Loi proclamant un jour et un mois de fête du patrimoine portugais en Ontario.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes for his presentation.

**Mr Carl DeFaria (Mississauga East):** It is an honour to stand in this House today to debate Bill 120, the Celebration of Portuguese Heritage Act, 2001. I believe that by the end of this debate members from all sides will recognize that the deep historical roots and the ongoing contributions to Canada by Canadians of Portuguese background make the case for this special recognition, a law commemorating Portuguese heritage and its contribution to the mosaic of our Canadian society. The reason it is important that we pass Bill 120 into law today is so that the Portuguese community may carry on its historical celebrations exactly 500 years after the arrival of Portuguese navigators in Newfoundland and Labrador.

I urge all members to give their unanimous consent to second and third reading of this bill today so that we can honour history, so that we can honour those brave navigators and explorers who crossed the Atlantic Ocean with all the uncertainties involved in that era of discovery, so that we can honour Gaspar Corte Real, who, together with Giovanni Caboto, was one of the earliest discoverers of Canada, so that we can honour and recognize Canada's beginnings as a multicultural nation, so that we can honour the half a million hardworking Portuguese men and women who work hard every single day to literally build this wonderful country from the ground up.

Portuguese people are people who strongly believe in honour. Let's not deny them the honour to have this bill passed on the exact anniversary of their ancestors' arrival in Canada.

The Celebration of Portuguese Heritage Act is a bill that does two simple but very important things. It proclaims the month of June as Portuguese History and Heritage Month and the 10th of June as Portugal Day. I want every member to know that our actions and words today will leave an everlasting mark. Today's Hansard will be reviewed in every Portuguese-speaking press in Canada and read over by the half a million Canadians of Portuguese background around this province. Make no mistake: it was not by accident that Ian Urquhart in the Toronto Star yesterday named me as a key member whose influence could spill over the boundaries of my riding during our leadership process.

We have strong communities in Toronto and the GTA, 905 and 416 areas, exceeding a quarter of a million people in Leamington, Windsor, Sarnia, Chatham, Harrow, Wallaceburg, Woodstock, Brantford, London, Niagara region, Hamilton, Kitchener, Cambridge, Oakville, Burlington, Milton, Guelph, Listowel, Strathroy, Brampton, Wasaga Beach, Bradford, Markham, Richmond Hill, Uxbridge, Oshawa, Elliot Lake, Sudbury, Thunder Bay, Kingston, Cornwall, Ottawa and, of course, in the great city of Mississauga, whose people honoured me with

their trust, electing Canada's first parliamentarian of Portuguese descent.

As you can see, every member of this House has a stake in the quick passage of this bill. There are Canadians of Portuguese background who settled in some of our communities even before the Loyalists. They are proud Canadians who participate fully in Canadian society without any bone to grind and are forever grateful to Canada for the warm welcome they received through the centuries.

I'd like to briefly review the history for the record. In the 15th century, Prince Henry of Portugal—whose mother, by the way, the Queen of Portugal, was a British princess—better known as Prince Henry the Navigator, established a school of navigation in Sagres, in the Algarve region of Portugal. That school of navigation, in those days, would be a state-of-the-art school of navigation. It was the first of its kind in the world. It set the stage for the great feats of Portuguese navigators and explorers. They include well-known explorers such as Bartolomeu Dias, who explored the Cape of Good Hope in Africa. It was called the Cape of Good Hope because, by crossing the southern tip of Africa, the Portuguese saw the way clear to make it to India. They were followed a couple of years later by Vasco da Gama, who discovered the sea route to India; Pedro Alvares Cabral, who discovered Brazil; Magellan, who was the first navigator to circumnavigate the Earth; and Gaspar Corte Real, who left Portugal under a charter of King Manuel to discover and claim jurisdiction over lands in the new world.

Corte Real arrived in Newfoundland in the year 1501, exactly 500 years ago. He explored the northeast coast of Terra Nova/Newfoundland. He sailed up the coast of Labrador and named the land Labrador, which means "farmer" in Portuguese, in honour of John the Farmer, who was one of the Portuguese explorers credited with being the first explorer to set foot in Labrador.

Canada, in 16th-century cartography, was often described as the Land of Corte Real and as Terra d'el Rey de Portugal, land of the King of Portugal.

But this debate today is not a claim of jurisdiction but a debate about the celebration of the great cultural and historical heritage that the Portuguese bring as a piece of the mosaic that makes this Canada of ours so great and wonderful.

Did you know that when mail service was first established in Canada in 1693, it was a Portuguese man, Pedro da Silva, who transported and delivered mail by canoe between Montreal and Quebec City?

Did you know that Portuguese fishermen started fishing cod off the coast of Newfoundland and Labrador in 1504 and have continued to do so for 500 years?

1110

One has only to talk to the people of Newfoundland if you want to hear the folk stories they tell about the white fleet—the Portuguese fishing fleets.

There was a CBC documentary I once saw narrating the story of a boy, 12 years old, who arrived in New-

foundland as a stowaway in a fishing ship and stayed at the docks until someone took him in. His last name was Silva but the local people thought it to be Silver, so he kept the name Silver. He married there, had a large family and became a celebrity in St John's, as his door was always open for any fisherman who arrived in St John's. He made them feel as if they were part of his family. The children of the Silver family still live in Newfoundland. Mr Silver himself died without ever returning to see the family he left behind in Portugal.

The Portuguese community is a vibrant community in Ontario and Canada, and continues to make significant contributions to Canadian society and to enrich it with its history, language, culture and work ethic.

The month of June, and the day of June 10 in particular, have always been a great time of celebration by the Portuguese community. Celebrations honour the life of Luis de Camões and his famous epic poems, the *Lusiads*. June 10 is the anniversary of the death of Camões.

I would like to acknowledge here the leading role of ACAPO, the alliance of Portuguese clubs and associations, in the celebrations that take place in the month of June in Ontario, year after year.

In conclusion, I want everyone in this House to know that Canadians of Portuguese background are proud of their culture, history and heritage—proud of their heritage but proud of being Canadians. I know Portuguese people pray every day to thank God and ask God to bless Canada. On behalf of the half a million Canadians of Portuguese background, I want to say today, obrigado Ontario, obrigado Canada, thank you Canada.

**Mr Bruce Crozier (Essex):** I'm pleased to rise today and speak in support of the bill of the member for Mississauga East, Mr DeFaria. I'm also speaking on behalf of many constituents I have in the area of Leamington, outside of Leamington and in the community of Harrow. We have a significant number of Portuguese residents in our communities, as well as in the city of Chatham and the area of Wheatley. It's on their behalf I'm standing today to support this legislation.

I've paraded with my amigos in those areas on many occasions and helped them celebrate their heritage, and it's always been a pleasure. I might add—I hope this is taken in a lighter and more humorous way—I've even paraded with them on streets and highways, much the same as I wanted to be able to raise money in my own bill.

I visited Portugal this year, one of the first times in, I think, about 15 years that my wife and I have been out of the country and off the continent of North America. We chose to visit Portugal because of the number of constituents I have who have encouraged me to visit Portugal. I found it to be a beautiful country. I visited the Algarve and the point at which Henry the Navigator—or Prince Henry of Portugal, I guess, more formally—created many of the methods by which the Portuguese were able to go out into the world and discover new horizons.

I've always thought, colleagues, that it must be a difficult decision to make—one that I've not made—when someone leaves their homeland, like the great Canadian citizens who have immigrated from Portugal, and comes to another country. Thank God they chose Canada. We have welcomed immigrants with open arms. They have come to our country and they have made it a richer place.

I think we should do this type of thing and recognize those citizens who come from other countries and bring with them their rich heritage. They still want to maintain that heritage and live it in our country and share it with us. I think this is one way we can do that, by recognizing them, by recognizing their history and by thanking them for coming to our country and making it a richer place.

When this bill, I hope, is passed into law, I'll very proudly go back to my community on your behalf and say to the Portuguese immigrants, as well as the many who have now been born in Canada, how much we appreciate their heritage and what they've contributed to Canada. This in some small way recognizes that.

I wish the member well. I hope the bill passes and I certainly will be in my seat to support it.

*Interruption.*

**The Acting Speaker:** Unfortunately, people who are in the galleries are not allowed to participate in these proceedings, including applauding. I appreciate your sentiments, but that is not permitted.

The member for Toronto-Danforth.

**Ms Marilyn Churley (Toronto-Danforth):** It's true that I'm the member from Toronto-Danforth, but I don't know if people here recognize that I hail from Newfoundland and Labrador, so I have a special connection with the people of Portugal. I'm very pleased to stand today in support of this bill, and certainly I believe it will pass into law.

My mother comes from a place we call Bay de Verde, but it's actually a Portuguese name. It means Green Bay. I would not be surprised if I have some Portuguese blood in me. My mother's family goes way back in this town of Bay de Verde. It's a most beautiful town. I wish I had a picture to show people.

We have a great affinity in Newfoundland and Labrador with the people of Portugal. Still today people speak very fondly of the Portuguese White Fleet of 1930. Many people married Portuguese fishermen. People from Newfoundland go to Portugal. We have very much in common.

The other connection I have is that I grew up in Labrador, although I was born on the island of Newfoundland. Most people probably don't know but the name Labrador itself came from a Portuguese word which I understand means farmer or worker.

It's my pleasure today to stand here and support the bill before us. The people of Newfoundland, as I said, for many years have seen the ships in the harbour of St John's and around the coast of Newfoundland and Labrador. There's a lot of poetry and music that we share in common.

The Portuguese people have contributed so much, not only to Newfoundland and Labrador but to all of Ontario. We have a large Portuguese population here in Ontario who contribute greatly. As a person coming from Newfoundland and Labrador and because of the great relationship Newfoundlanders have with the Portuguese people, it gives me great pleasure and it is a great honour to be able to stand today and support this bill before us.

**Mr Frank Mazzilli (London-Fanshawe):** I know my colleague from Thornhill would want mentioned that the second shift from Ventura Park school is here from Thornhill. I want to welcome them.

I'm proud to rise and support the member from Mississauga on a bill that I know he and I spoke about in the past. The reason we spoke was some of the history about the discoveries and some of the unresolved issues around who discovered what. I'm glad the member from Mississauga incorporated both of those issues into this bill. Gaspar Real, together with Giovanni Caboto, was one of the earliest discoverers of Canada. He's combined that, and I think, together with the Portuguese community and the Italian community, we can live with that, knowing that we both had an enormous role in the discovery of the New World.

1120

On a more personal note, I know we all have Portuguese communities in different cities across the province, and in London we have an exceptional community. The home church for the Portuguese community is Holy Cross, and the Portuguese Club is on Falcon Street right off Trafalgar Street. For people today who think that's not a big deal, it is a big deal. Twenty years ago these communities purchased pieces of land, and those clubs started from nothing; they started from a shack. It started with people going door to door raising money to have a community centre or a club. It was no different from the church. Holy Cross church was one that had to be purchased by the Portuguese community, and at some point when the community expanded, additions had to be put on. How was it done? It was done by the Portuguese community going to other people within their own community and raising money.

This is what the Portuguese community has done in all of our cities, along with other communities, the Italian community and so on. I just want to say that I'm proud of all those communities. They're hard-working people who contribute enormously to our economic output in this province and to our social fabric. I think this act should be passed as soon as possible, recognizing their hard efforts.

**Mr James J. Bradley (St Catharines):** This is one of those pieces of legislation that tend to bring support from all political parties, and I think without any qualification or conditions on that support.

I see the member for Kitchener here today. He had a special day that he brought forward recognizing people of German descent and the role and responsibilities they had in Canada. That was approved by members of this House, and we're pleased, I think, as members to give

official recognition in the form of the legislation that we see here today to people of Portuguese ancestry who have played such a significant role in our country.

I used to be a history teacher a number of years ago, and of course we were all students at one time. We remember well the many stories that were told of people from Portugal who had travelled to North America, to Canada, had made some initial contacts here—indeed who had travelled across the world—and spread the Portuguese culture and traditions and shared them with others.

In Canada we're fortunate—because every country in the world isn't like this—that we welcome people from various backgrounds. Very early on, the country was a British colony and a French colony. We had a large French component, a large British component, and they are still extremely important parts of our country. People, however, came from other countries in the world to join us, initially from Europe and of course after that from other parts of the world, all joining the First Nations people who were here before any of us happened to arrive from any of our ethnic backgrounds.

The people of the Portuguese community have contributed immensely in so many of our communities across Ontario. We note a large community obviously in the Toronto area and, as the member has pointed out, in the greater Toronto area. We refer now to these exchanges, which tells us we're a little bit captive of our electronic gadgetry now, because we refer to it as the 905 and the 416 areas. We have to add some, by the way, now that there are more exchanges. But there's a large number of people in the Toronto area and well beyond the borders of Toronto who are of Portuguese background. My friend Bruce Crozier from Essex North mentioned the fact that he has a large community of Portuguese people in his area.

We were pleased as a country to welcome people from Portugal to Canada. I understand there was not all that large an immigration from Portugal initially. It has increased significantly over the years, and to a positive effect for those of us in Canada.

In Tony Ruprecht's new millennium edition book, *Toronto's Many Faces*—

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** He's got a new book out?

**Mr Bradley:** Tony Ruprecht, the author and the member for Davenport, indicates something that I think a lot of people probably don't realize. He says, "There was little immigration to Canada until 1953, when 85 Portuguese men arrived in Halifax aboard the *Saturnia*." He goes on to talk about how, over the years, many people have come to Canada. "The First Portuguese Canadian Club was incorporated in 1956 and began organizing early festivals and soccer teams. Portuguese-language services were first held at St Michael's Cathedral in 1955, while a group from the island of Madeira frequented St Elizabeth's Church at Spadina Avenue and Dundas Street West." What he goes on to say of course is that—

**Mr Tilson:** That book would make a good Christmas gift.

**Mr Bradley:** "A good Christmas gift," says my colleague from Wellington and many other places. There is some good information in there.

What's important in our country is that we've been enriched by people coming from various parts of the world. You would find it very difficult not to find in any of our communities right across Ontario the influence of people from Portugal. We've been so fortunate, because people have come from various parts of the world. If you look at the names you find in this Legislature—by the way, somebody did a survey the other day; I think it was Graham Murray who did it. It talked about the number of people who were born outside Canada who are members of the House of Commons and members of the Legislative Assembly of Ontario. There are many, and we welcome people from around the world.

Sometimes when people arrive they have a bit of a difficult time initially, and they have experienced that over the years. Jim Coyle wrote an excellent column in the *Toronto Star* about what they said about each of us as we came—the Irish, the British, the French and so on—and they weren't always complimentary remarks. What we find, however, as people become part of this country, is that they bring their cultures, their tradition and the richness of that culture and tradition to Canada, and Portuguese Canadians certainly fit this category. Portuguese Canadians are good Canadians first, who want to maintain the traditions they bring with them and share them with others.

I welcome this legislation. I'm sure it will get unanimous consent in this Legislature this morning.

**Mr Rosario Marchese (Trinity-Spadina):** I want to congratulate Carl DeFaria, the member from Mississauga East, for bringing this bill forward today in this House and for being the first Portuguese Canadian MPP in this place. It's true. New Democrats have no problem supporting this bill and giving it speedy passage, as he suggested. There's obviously no one in this caucus or any other party, I don't think, who would want to delay it or oppose it in any way.

I wanted to say that at the outset, and say as well that the consul general of Portugal is here today in this assembly. I want to publicly say that I'm very proud of the work he does here with the Portuguese community. He is very engaged with all the community associations. In fact, he goes to more meetings than the rest of us combined. I don't know how he does that, but he does, and he represents the community very well. I welcome the people here watching this debate today, because I think it's an important one.

1130

I want to give some background of my relationship with the Portuguese community. You see, I've lived in the downtown area most of my life. I grew up on Shaw Street. That was, I wouldn't say the heart, but it was the area of Italian Canadians for many years. Most immigrants came to the area of College Street, between

Dovercourt and Bathurst to the lake, literally, all the way north. Now of course most Italian Canadians have left my riding. They've gone away—we've got a couple of senior citizens, God bless them. They're all in the ridings of Mississauga East, West, North, good heavens, in the Woodbridge area. They're everywhere except in my riding. I am the lone holdout in my riding.

But I grew up with Portuguese Canadians, so we have a shared history. Italian Canadians and Portuguese Canadians are like cousins—*primus*—in terms of history and in terms of where we come from and with respect to my history growing up side by side. In fact my closest friend is Lawrence Teixeira, a friend of mine at Harbord Collegiate. It was in his family home that I tried for the first time the *pistoês*, a very delicious shrimp-patty-like thing that's hard to describe, but I liked it a lot. And homemade is better than what you get in any restaurant anywhere.

**Interjection:** Where? At your place?

**Mr Marchese:** No, the Teixeira family. Of course other families make them at home, and I'm sure they're tastier than what you will buy anywhere.

**Interjection:** Are you inviting us?

**Mr Marchese:** Mr Sampson, sit down here. Join us here. Come on.

*Interjection.*

**The Acting Speaker:** Order. If the Minister of Correctional Services wants to participate, he needs to be in his seat.

The member for Trinity-Spadina.

*Interjection.*

**Mr Marchese:** If Mr Sampson, the member for Mississauga Centre, wants to be invited to a meal of *pistoês*, Carl DeFaria can arrange that, and I'm coming.

*Interjection.*

**Mr Marchese:** No, I said if you're coming, I'm coming. We can do it together with Carl DeFaria.

**Interjection:** I want to know the date and time.

**Mr Marchese:** We can set a time and date any time Mr Sampson wants.

Portuguese Canadians have a proud history in this country. Mr DeFaria, of course, has outlined the history of Portuguese Canadians with respect to them, as they say, discovering that—I'm a bit careful, because aboriginal people don't like it to be said that they were discovered. We have to be very careful, because aboriginal Canadians were in this land before we came—Portuguese, Caboto and whoever else followed. They argue they weren't discovered, because they were here. In that regard we have to be very careful, but it is true that Portuguese and Italian navigators travelled all over the world, criss-crossed the world, not just with their boats but eventually they immigrated to many countries across the world.

They have a proud history, not just in Canada but indeed in Portugal. It isn't just the great Camões that we celebrate on June 10. There are many other people of note: the wisdom of Jose Saramago, the writer who won the Nobel Prize in 1998; the groundbreaking narratives of Fernando Pessoa. In visual arts, I am told there is nothing

quite like the work of Vieira da Silva and Paula Rego. The architectural splendour of Alvaro Siza's buildings, I'm told, is a wonder to witness. The piano player Maria Joao Pires—people wonder why she isn't much more renowned beyond her own borders. The point is, there's great culture, not just in Portugal but what Portuguese Canadians have brought to this country.

We know they work hard. We don't dispute the fact that Portuguese Canadians are great, hard-working Canadians. No one doubts it. No one disputes it. Like Italian Canadians, they have brought to this country a pride in the work ethic. We see this displayed in all the work—at least at the clubs I attend and the work of the Federation of Portuguese Canadian Business and Professionals Inc and their attempts to reach out to young people through the scholarships they provide. We see the work of the Alliance of Portuguese Clubs and Associations of Ontario, which bring together hundreds of people from various clubs and associations across Ontario. They not only display their own culture but reach out to other Canadians as a way to have Canadians of non-Portuguese background understand what Portuguese Canadians bring to this country. We have thousands of clubs and organizations across this province. We have professional radio and television programs. We have newspapers and publications that don't fit in the hands, so many there are, reflecting the history, the work and the pride of Portuguese Canadians. No one disputes that, and we want to acknowledge and recognize it.

What some of us talk about, however, is that to make multiculturalism meaningful, we should do a little more than just talk about how proud we are that we have Portuguese Canadians in this country. As I speak to Portuguese Canadians, they say to me, "How come we don't have the same opportunities as others to be part of the boards, agencies and commissions?" I'm sure Carl DeFaria on a regular basis mentions that to the ministers in that cabinet, and I'm not quite sure what kind of hearing he's getting. I know that many Portuguese Canadians are saying, "We are just as able as anybody. Why are we not nominated as fast as the others in those countless boards, agencies and commissions?" I know it seems perhaps trite to some or a trifle to others, but it's important. It's important to make sure that we reflect everyone in this country in every board, agency and commission, and not just there, but in boards of education, boards outside of these agencies, in any professional organization you can think of.

I know it's troubling to some people to hear these things. They don't want to hear it. Some argue, "Because we've made it here in this place individually, others can too if they want to." Well, yes, it's true. Some do, but many are striving to get those doors open so they can be let in, and they're finding barriers.

We held an *assembleia popular* the week of September 24. We had a two-day hearing in my riding where we worked with the agencies in my area to identify issues of concern to the Portuguese Canadian community. We talked about how Portuguese Canadians can organize in

such as way as to make sure that when they have concerns, they are heard by local politicians, provincial politicians and federal politicians, and are heard by governments. It's critical that communities not feel that they are just immigrants but feel that they are citizens who have a say and can and will be heard when they organize actively. So we organized that forum, that popular assembly, with the aim to say to people, "You have power if you use it, and you can make politicians hear you if you use that power."

We talked about health and their fear of the two-tier health care system. They are very afraid of that.

We talked about education, and while many of our young people in the Portuguese Canadian community do very well and get top grades, there are other students from that community who are not doing very well. Carl, you know that. So what we talked about in that popular assembly is, "How do we make sure we get the Minister of Education to come to our community meetings?" I'm convinced that we would be able to work very well with Carl—myself and others who are interested—to get the Minister of Education to such a meeting to say, "What are the barriers that make it difficult for some of our students to succeed?" so that the Minister of Education is seen and the government is seen to be breaking down barriers and seen to be raising the level of academic achievement that we all want. So if there are problems, we can't just whine and complain about those problems. We have to organize in such a way that we will be heard.

We had the help of CIRV radio, a Portuguese radio station in my riding on Dundas Street close to Dovercourt and Ossington. They in the beginning were very good in organizing a series of programs to talk about the issues that affect Portuguese Canadians. I was proud of that initiative and proud that CIRV radio said, "We want to serve our community."

We then followed up on our *assembléia popular*, the popular assembly, and invited the media people to come. CIRV radio came, with CHIN radio, and they said they would continue to help promote the issues, disseminating information as a way of making sure the public is informed and is involved. We hope that commitment of CIRV radio and CHIN radio will continue, because with their help, people will be better informed when they're given the tools and the information.

1140

These are the things we need to do. We need to talk about the pride of our heritage, which I support strongly, and we need to talk about barriers that exist in our society that keep some of our communities from achieving to the fullest, not because they don't want to, but because the doors often are not open. So that's what we need to do as politicians, as governments, and if governments don't listen, that's when it is our job as a community to make sure they listen to us, and they will, because communities have power.

Carl DeFaria, I thank you for this bill you have brought forth. We will be supporting it, as New Democrats, and we do it proudly.

**Mr Gerry Martiniuk (Cambridge):** I'm pleased to rise and support my good friend Carl DeFaria's act to proclaim a day and a month to celebrate Portuguese heritage in Ontario. The Portuguese have a rich and adventurous heritage. Who among us has not heard of the brave seafaring explorers Prince Henry the Navigator, Vasco da Gama and Magellan, heroes all? Corte Real, with Giovanni Caboto, discovered what is now Newfoundland in 1501, nine short years after Columbus discovered the New World. It was Corte Real who named Labrador in honour of one of his shipmates. The year 2001 celebrates the 500th anniversary of this discovery.

My riding of Cambridge has close to 17,000 citizens being descendants of these brave explorers, primarily from the archipelago of the Azores, an autonomous region of the Portuguese republic. The Azores are one of the few regions in Portugal that have their own Legislative Assembly and government in addition to the Portuguese National Assembly. The archipelago is 1,500 kilometres from Lisbon and 3,900 kilometres from Newfoundland, and consists of nine varied and beautiful islands. The islands are the home of distinctive and unique folk music, literature and culture.

There is the eastern group of Sao Miguel, the largest island, settled not only by the Portuguese but also by Madeirans, Jews, Moors, and French, and Santa Maria, the place of first landing in Europe by Christopher Columbus on his way back from the discovery of the New World; the central group of Terceira, the island of Jesus Cristo, Graciosa and its windmills, Sao Jorge with its festival of the holy spirit—I look forward each year personally to partaking in the holy spirit bread soup—Pico, with its volcanic cone crowned by the Pico Alto crater, and Faial, the blue island; and the western group of islands: Flores, with its seven lakes, and tiny Corvo, the smallest island and the most westerly part of Europe.

Cambridge is a richer place because of the Portuguese heritage. We have two Portuguese cultural centres in Cambridge: the Portuguese Club and the Oriental Club. Spiritual needs are provided at Our Lady of Fatima church, presided over by Father Antonio Cunha. We have a Portuguese newspaper, *O Lusitano*, published by my good friend Jerry Bairos.

Every year I have the privilege and pleasure of taking part in numerous and colourful festivals and celebrations. Cambridge is enriched by these industrious descendants of world explorers.

What better way to recognize the contribution of our fellow citizens of Portuguese descent than setting aside June 10 and the month of June to celebrate Portuguese heritage in Ontario? I urge all members to support Mr DeFaria's bill.

**Mr John Gerretsen (Kingston and the Islands):** I'm very pleased to join this debate and congratulate the member for bringing this bill forward. I too was not born in this country and am a very proud Canadian of Dutch descent. I know that I come from an area of the province, Kingston, which at one time was a very Anglo-Saxon place. It has only been within the last 30, 40 or 50 years

that there has been quite an influence of immigrants from all over the globe. Certainly the Portuguese in the Kingston area have made a tremendous contribution.

Like the situation in Cambridge, most of the Portuguese in the Kingston area come from the islands of the Azores. Many of them arrived in the 1950s and 1960s. I was surprised to learn that there are only about 3,400 Portuguese in the Kingston area, because certainly their influence within the community is much larger than that. We have in Kingston also an Our Lady of Fatima church, a Catholic church and a Portuguese cultural centre. There is also Portuguese radio programming done on a weekly basis by Eduardo Pereira, who's the program director. Also on Cogeco cable television, we have a weekly show put together by Tito Santos, who has been looking after that for many years.

What is the reason that Portuguese Canadians have had such a tremendous influence in the Kingston area? Two families come to mind. One family is a family headed by an individual by the name of Joe Melo. Joe came from Portugal about 40 or 45 years ago. He eventually ran a small restaurant and small gas bar. He was able to expand that into what's now known as the Ambassador Hotel. I'm sure many people from this Legislature, who may have gone to various conventions, have been at the hotel because it is the largest convention hotel in the city.

One of the reasons Joe was so successful over the years is that the total enterprise became a complete family affair. At one time I would dare say that up to 30 to 40 members of his own individual family worked at the hotel. As a matter of fact, just recently he opened another hotel in the Kingston area—namely, the Four Points Sheraton Hotel in the downtown area. What you get with I think most families of immigrants here is that they totally work together. In bad times they perhaps don't take the salary that they will take in good times. They work together to make that enterprise a success. Certainly Joe and all of the members of this family are to be congratulated.

But he isn't the only one. We have an individual by the name of Jack Sousa, who was able to start a very successful construction company. He's built just about every second sidewalk in the city of Kingston over the last 40 years; another very successful individual.

People like Bill Raposo, who owns Bill's Bakery, come to mind. The Portuguese are well known for their many different flavours of bread and different baked goods that they make.

We in the Kingston area are extremely proud of the heritage and culture that the Portuguese community has brought to an area that at one time was very much of a British flavour, of an English flavour, and from which we all benefit. The Portuguese communities have been very much involved over the years in our folklore events in which everyone from the community can in effect taste a little bit of the heritage, culture and goodies that the Portuguese community has made.

I think it is good for us to recognize the tremendous contributions made by new immigrants, our forefathers

of French and British descent and also the First Nations. Certainly I totally support the member in this bill and congratulate him. Yes, let us celebrate, on June 10 of every year, the fact of the tremendous contributions that the Portuguese have made to our Canadian society. Thank you very much.

1150

**Mr Wayne Wettlaufer (Kitchener Centre):** It gives me a great deal of pleasure to be able to stand and support this bill brought forward by Carl DeFaria, who is the first Portuguese Canadian to have ever been elected to this place. Carl, congratulations and thank you for bringing this forward.

I want to thank the member from Barrie-Simcoe-Bradford for giving me his time this morning. He had to leave the House and he asked me if I would explain his interest, because I know of the great interest that he has and the great support he has demonstrated for the Portuguese community in his riding. He definitely has attended a number of their functions and he attends the Portuguese Canadian club in his riding. He's most supportive of the Portuguese community.

I want to speak also of my interest. Everybody in this place knows of my interest in things cultural, in peoples cultural.

I have to say that my first exposure to the Portuguese community came in early 1963 when I had gone into the insurance business. I was a youngster at that time. I was in my late teens or early twenties. One of my first calls was a Portuguese man who was newly arrived to this country. He bought a car, and I was referred to him by the car dealership. I sat down at 7 o'clock at night in his place, with all my insurance paraphernalia in front of me. I had my automobile insurance manuals and my applications. He said, "Excuse me a minute." He went to a cupboard and brought out a bottle of wine and set it on the table and said, "Now we do business."

I learned something then because I was always business, business, business. My approach was totally different. It wasn't built on friendship, on warmth, like this man. Anyway, he—

**Mr Crozier:** It still isn't.

**Mr Wettlaufer:** It still isn't. Thank you very much, I say to the member from Essex.

This man, we had a little glass of wine and we talked and we did our business. We had another glass of wine. One thing I learned was you don't go—

*Interjection.*

**Mr Wettlaufer:** No, we stopped at two. One thing I learned was that you don't go and visit other clients after you have been drinking someplace. I learned from then on that when I would write up insurance for a Portuguese citizen, for a new immigrant from Portugal, I would make it my last call in the evening.

From that man, I received thousands of referrals. I wrote up thousands of Portuguese in the Kitchener-Waterloo area. I even wrote them up in Cambridge. We heard Gerry Martiniuk, the member for Cambridge, talk about the 17,000 Portuguese citizens, Portuguese Can-

adians, in Cambridge. In Kitchener-Waterloo, we have thousands of them as well. They made me feel very warm; they made me feel part of their community. I have to say that my own sister-in-law is Portuguese. My brother married a Portuguese girl—what a lady she is. She's a princess. Do you know that I could have survived in the insurance business just on the referrals that I received in the Portuguese community? They are a very together community. They're a very friendly community, a very warm community. I have a very, very deep respect for the people from Portugal. I say to the consul general here today, you should be very, very proud of your culture.

I get to go to a number of citizenship courts. While we don't have as many new people from Portugal coming to this country now as we did 30 or 40 years ago, nevertheless, from time to time, I still do see some. Their culture that they have brought to this country has made us so rich. I get to go and enjoy Portuguese foods at restaurants and the Portuguese Canadian club on Westmount Road in Kitchener from time to time. I get to enjoy their music.

This makes us what we are today, whether it be Portuguese, Italian, German or many other cultures. We are so lucky to live in this country, where we are not a melting pot of cultures but where cultures can enjoy and celebrate their own cultures and we can enjoy and celebrate them with those people. We are so lucky. The nice part about it is that we have an opportunity in this country, and perhaps it's because these cultures have come and encouraged their young people to participate in and to prolong their culture in this country. We get to enjoy their culture and our children get to enjoy their culture. Without the understanding they demonstrate, without the understanding we also demonstrate to them, we wouldn't have this interplay, and I'm so grateful that we do.

There is a fair amount of pressure on any new immigrant. The new immigrant experiences culture shock. They have gone from a totally different culture to what we have here today. Imagine, however, the culture shock to their children, who want to be all-Canadian, who would love to forget, in some cases, the language or the culture of their forebears. It is only through the warmth of the people of the Portuguese community that they have been able to encourage their young people to hold on to that culture, to hold on to that language, and to share it with the rest of us in this country.

I have to give you a little anecdote, at my expense. I was in the insurance business. In the 1960s, I was seeing a lot of variety stores cropping up in the Portuguese community in Kitchener. It's near the downtown area, the extended downtown area. In a number of these stores, I kept seeing Toreense Confectionary or Toreense Variety Store. So I went to one friend and asked him, "What are all these Toreenses? How many people are in that family?" He started laughing. He said, "That's not a family. That's Portuguese for 'variety store.'" I said, "Oh."

It demonstrated that a number a number of them had started up in these small businesses. Many of them went

on. They went into the tool and die industry. They went into other businesses. They became lawyers and other professionals. Their children have become professionals. They have become fantastic citizens of our country.

**The Acting Speaker:** The member for Mississauga East has two minutes to respond.

**Mr DeFaria:** I am really touched by the speakers this morning. It seems clear from all speakers that we have made the case for the special recognition of this law commemorating the Portuguese heritage and its contribution to Canadian society.

I want to thank all members who participated: Mr Frank Mazzilli, London-Fanshawe; Mr Gerry Martiniuk from Cambridge; Mr Crozier from Essex; Ms Churley, Toronto-Danforth; Mr Geretsen, Kingston and the Islands; Mr Wayne Wettlaufer from Kitchener Centre. I particularly want to thank Mr Bradley, who has indicated that his party will be agreeable to have the bill ordered for third reading, and also Mr Marchese, who on behalf of his party indicated that his party will be prepared to have the bill ordered for third reading today.

On behalf of the Portuguese community, I want to thank all members of this House. I want to thank the members of the Portuguese community, the schools that were here this morning, and the consul general, for their representation. I see one of our elders, Mr Sousa, who is one of the pioneers in our community. I thank you all, and I thank all members for their support.

#### CHARITY FUND-RAISING ACTIVITIES ACT, 2001

#### LOI DE 2001 SUR LES ACTIVITÉS DE FINANCEMENT DES ORGANISMES DE BIENFAISANCE

**The Acting Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 35.

Mr Crozier has moved second reading of Bill 26, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fund-raising activities of legitimate charities.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will take the division following our dealing with ballot item number 36.

1200

#### CELEBRATION OF PORTUGUESE HERITAGE ACT, 2001

#### LOI DE 2001 SUR LA FÊTE DU PATRIMOINE PORTUGAIS

**The Acting Speaker (Mr Michael A. Brown):** Mr DeFaria has moved second reading of Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, this bill will be referred to the committee of the whole House.

**Mr Carl DeFaria (Mississauga East):** Mr Speaker, I would ask that the bill be ordered for third reading.

**The Acting Speaker:** Mr DeFaria has asked for unanimous consent that the bill be ordered for third reading. Agreed? Agreed. The bill will be ordered for third reading.

We will now call in the members; it will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

#### CHARITY FUND-RAISING ACTIVITIES ACT, 2001

#### LOI DE 2001 SUR LES ACTIVITÉS DE FINANCEMENT DES ORGANISMES DE BIENFAISANCE

**The Acting Speaker (Mr Michael A. Brown):** Mr Crozier has moved second reading of Bill 26. All those in favour will stand and remain standing until their name is called.

##### Ayes

Agostino, Dominic	Cordiano, Joseph	McLeod, Lyn
Arnott, Ted	Crozier, Bruce	Parsons, Emie
Bartolucci, Rick	Di Cocco, Caroline	Patten, Richard
Bountrogianni, Marie	Dombrowsky, Leona	Peters, Steve
Bradley, James J.	Duncan, Dwight	Phillips, Gerry
Bryant, Michael	Gerretsen, John	Pupatello, Sandra
Caplan, David	Gravelle, Michael	Ramsay, David
Churley, Marilyn	Hoy, Pat	Sergio, Mario
Cleary, John C.	Kormos, Peter	Smitherman, George
Colle, Mike	Lalonde, Jean-Marc	
Conway, Sean G.	Marchese, Rosario	

**The Acting Speaker:** All those opposed will stand and remain standing until their name is called.

##### Nays

Baird, John R.	Hudak, Tim	Runciman, Robert W.
Barrett, Toby	Jackson, Cameron	Sampson, Rob
Beaubien, Marcel	Johns, Helen	Snobelen, John
Chudleigh, Ted	Johnson, Bert	Spina, Joseph
Clark, Brad	Marland, Margaret	Sterling, Norman W.
Clement, Tony	Martiniuk, Gerry	Stewart, R. Gary
Coburn, Brian	Maves, Bart	Stockwell, Chris
Cunningham, Dianne	Mazzilli, Frank	Tilson, David
Dunlop, Garfield	Miller, Norm	Tsubouchi, David H.
Ecker, Janet	Molinari, Tina R.	Wettlaufer, Wayne
Elliott, Brenda	Munro, Julia	Wilson, Jim
Galt, Doug	Mushinski, Marilyn	Wood, Bob
Gilchrist, Steve	Newman, Dan	Young, David
Gill, Raminder	O'Toole, John	
Hardeman, Ernie	Ouellette, Jerry J.	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 31; the nays are 43.

**The Acting Speaker:** I declare the motion lost.

All matters relating to private members' public business now being complete, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1209 to 1330.*

## MEMBERS' STATEMENTS

### HOSPITAL RESTRUCTURING

**Mrs Sandra Pupatello (Windsor West):** Today the Provincial Auditor dropped his report in this House, and it's quite interesting to me, as we continue to lobby on behalf of our local hospitals. In Windsor, the Hotel-Dieu Grace stands \$17 million in deficit and the Windsor Regional Hospital stands \$9 million in deficit. What we see today in the Provincial Auditor's report is the Ministry of Health admitting to the Provincial Auditor that they're having a little bit of difficulty dealing with all those hospitals undergoing restructuring.

Here's what the ministry advised the auditor: "Current funding does not allow for ministry staff to conduct a thorough and complete review in each hospital." Of course, that was under the headings of "Reimbursement of Restructuring Expenses" and "Implementation of Capital Projects." The most significant change to our health system in years, and the ministry itself does not have the capability to move forward and assist our hospitals with this change.

We say, no wonder our hospitals are dying on the vine. No wonder hospitals like mine incur additional financial obligations to their banks in order to finance capital construction, because the Ministry of Health itself does not get its own act together. It's galling to see our Minister of Health stand up and say, "Give it some time. Maybe we'll see what happens." People in Windsor are waiting, Minister.

### CHILDREN'S MENTAL HEALTH SERVICES

**Mr Ted Arnott (Waterloo-Wellington):** During constituency week, I attended a round-table discussion in Waterloo on children's mental health, which was sponsored by Lutherwood Community Opportunities Development Association. As I listened and spoke with professionals and volunteers from Waterloo region, I gained a better understanding of the care they provide and how that care benefits all of us. Their method speaks to these benefits, for it is Lutherwood's goal to keep children and families together and to support parents while helping children overcome their difficulties.

I was astounded to learn that 80% of young offenders suffer from some kind of mental illness. We also discussed the fact that a child not treated in time will often require intervention welfare services such as those provided by children's aid societies later on. The earlier you help children, the better it is for them, for their families, for our communities and for the social service net that helps keep our communities together.

To continue to do this job effectively, mental health care providers need our help. I was advised that in Waterloo region and Wellington county there are unacceptably long waiting periods for some children's

mental health services, which is one of the problems stemming from funding shortages.

I have also met recently with Mr John Jones, executive director of the Wellington-Dufferin branch of the Canadian Mental Health Association. He advised me that acute care beds are needed for patients in Wellington. At present, children must be sent to London for in-patient care, some two hours from home in many cases.

I ask that the Minister of Health investigate the need for enhanced funding so that care providers in Waterloo-Wellington have the resources they need to deliver these essential services. I want to thank the professionals and volunteers in Waterloo-Wellington for their excellence and dedication to mental health care.

### AGRICULTURE PROGRAMS

**Mr Steve Peters (Elgin-Middlesex-London):** I have a statement to the Minister of Agriculture. At the recently held Ontario Federation of Agriculture annual meeting, the minister announced with great fanfare that cabinet had given them the authority to negotiate with the federal government for a made-in-Ontario safety net program. My question is quite simple: what has this minister and the ministry been doing for the past nine months? Proposals have been on the table for months. We thought you were already negotiating. The idea that you're now just starting seems so absurd.

This is late November. The final payment for market revenue, for what it's worth, has been announced. The program is over, yet there are no further announcements. Farmers must be able to plan for their future. Farmers have just come through a disastrous season. Some cannot even afford crop insurance. Yet you say you are only now ready to start negotiating. The federal contribution to safety nets is no secret, but where does the province stand?

The United States House and Senate bill is calling for doubling of the last decade's subsidies. At the OFA convention you refused to talk in dollars. So I ask you, how many dollars do you bring to the table? Your finance minister just can't put a handle on how much the deficit will be from one week to the next. So how much money are you committing, Minister? You're responsible for the farmers of Ontario.

Quebec and Alberta have contributed well over their 40% share for their respective programs, and I'm urging you to do likewise, Minister. Assume your responsibility and ensure the provincial contribution is at least 50% or 60% of the safety net programs.

### GEORGINA ISLAND FAMILY RESOURCE CENTRE

**Mrs Julia Munro (York North):** A new family resource centre will open soon on Georgina Island in my riding of York North. The purpose of the centre is to nurture a strong and supportive community and to en-

courage pride in the island's native heritage. The centre will be for all ages and will be home to many different activities such as parent-child and elder drop-ins, a supper club for new parents, a toy-lending library, counselling services, parenting courses and a community kitchen.

The centre's name in Ojibway means, "We come together." A strong benefit of the centre is that it will be able to offer early developmental screening and referral services to other agencies.

Coming to a resource centre on the mainland is often time-consuming and expensive. During the winter with the deep freeze, and again in late winter and early spring with the ice breakup, transportation is extremely difficult.

There will be a specific focus on native culture at the centre. Many aspects of native culture will be incorporated into the programming. Native stories and nursery rhymes will be told in Ojibway at circle time. Elders will be brought in to do storytelling and pass on their heritage. There will be a focus on every season. Every season is special in native culture, whether it's maple syrup time, strawberries, or corn in the late summer.

Congratulations to all those who have worked very hard to ensure the Georgina Island resource centre will be open in the near future.

### HOME CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** To say that funding cutbacks to the home care sector in the Thunder Bay district are causing an extraordinary level of hardship and pain to hundreds of vulnerable, fragile people in the communities I represent is nothing less than a gross understatement of the facts.

If ministers Clement and Johns want to understand the impact of these cutbacks, I would ask them to speak to Mr Burton Brown, a remarkable 92-year-old man whose 89-year-old wife, Mae, a woman with very limited mobility, is no longer able to receive even the most minimal home care; or Dave and Lori Pencoff, the proud parents of Thomas, a sweet nine-year-old with cerebral palsy who lives in a wheelchair and who will be losing the occupational therapist who helps him prosper at Balsam Street school because of your cuts.

If Minister Johns truly believes the \$9-million increase the area CCAC has requested for this year's funding is unrealistic or pulled out of the air, as she so cruelly put it last week, then I must ask her how she can pull out of the air the justification for a \$3-million decrease in funding this year. She knows there is almost a 50% caseload increase in our district, and she also knows that her hard-line approach is depriving people of the care they need and deserve.

So today I stand here virtually begging the minister to compromise on this vital matter. Will she not consider providing at least the same funding this year as last year's funding total? Inadequate as that will still be, it will at least mean no further cutbacks as presently scheduled. It will mean a continuation of the school

support program that Thomas Pencoff and hundreds of other children need, and it will mean some level of home care for top-priority cases that are now being told there is no care available.

Minister, will you please open your heart to the plight of these desperate people and find a way to provide the care they so clearly need?

1340

### COMMUNITY FAMILY RESOURCE CENTRES

**Ms Marilyn Churley (Toronto-Danforth):** The government of Ontario recently made it known to the public, although they're trying to hide it, that licensed regulated child care and family resource centres across this province are in jeopardy. A leaked document talks about taking millions of dollars out of the system. At the same time that they are doing this, family resource centres are underfunded as it is today. I met with somebody from South Riverdale Child Parent Centre this morning, and a coalition of groups across Toronto last week, to talk about the possible demise of the local community family resource centres in the city of Toronto.

What the government is doing is announcing Early Years centres. They're talking about giving \$500,000 for each centre in each riding. That sounds like a good thing, and in some small communities perhaps it is. But for the city of Toronto, where we have, in some cases, more than one family resource centre, and drop-ins that are not even included in the list of criteria that this funding would fund—in many communities across the province the Early Years centre is going to be awarded to non-family resource programs, despite their obvious underfunding and expertise right now.

There are a lot of problems with this new system that they're going to bring in. We're going to be standing up and fighting this. We're going to stand up in support of families and children and communities across this province.

### ANNE BERRY

**Mr Ted Chudleigh (Halton):** A large measure of the success of a politician is obviously due to his or her staff, and in particular, I might say to our constituency staff, the volume of information that staff deal with and are required to retain is unbelievable. Changing rules, changing procedures and the pace of change are difficult enough, but add to that the need to recall details at a moment's notice, at the request of an affected constituent, and many people would crumble under the strain. With the demands of these jobs and given the hectic pace, I am very fortunate to have some staff who have been with me for many years.

I rise today to congratulate my constituency assistant, Anne Berry, on her retirement tomorrow. She will be missed. Anne has taken on one of the most difficult jobs in politics, that of dealing directly with case work in the

constituency. She has handled this job so well, in fact, that my constituents continually have good things to say about her and her ability and manner. She frequently receives cards and letters and there has been at least one full bouquet of flowers. A native of England, she uses her natural accent and cheerful demeanour to disarm even the most vehement complaints.

Anne is here today in the members' gallery. She is witnessing the business of this House first-hand for the first time. Anne, I wish you and your family all the very best in the future. As a representative of constituency staff on both sides of this House, we wish you well in future endeavours and much happiness in your well-earned retirement. Thank you, Anne.

### BAY OF QUINTE WALLEYE FISHERY

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Yesterday, the Minister of Natural Resources finally confirmed in this Legislature that there would not be a ban placed on the walleye fishery in the Bay of Quinte on January 1, 2002. He also referred to a public process that would include stakeholder groups.

Well, the consultation that the minister has planned thus far is a joke. The ministry has scheduled December 8 and 9 to host invitation-only meetings. While the list of participants will include more people than the October 25 invitation-only meeting, the format again prevents broad public access and participation. When ministry officials were pressed to consider a more open format, the response was that these officials do not have the mandate to change the format.

What makes these meetings even more of a sham is the fact that they will take place in Dorset, some 300 kilometres away from the Bay of Quinte.

What the stakeholders in the Bay of Quinte pickerel fishery want is an open and public process in the communities that will be affected by whatever decision the minister makes. Dalton McGuinty and the Ontario Liberals believe they deserve that consideration.

### ANNIVERSARY OF OSCARDO

**Ms Marilyn Mushinski (Scarborough Centre):** Recently, I had the honour of attending the 14th anniversary open house party of a business in my riding called Oscardo, founded by two Mexican-born brothers, Eduardo and Oscar Lulka.

In 1987, the Lulka brothers acquired a neckwear company that was established in 1959. Oscardo's winning collections of elegant neckwear and associated products have since been a staple at menswear establishments in Canada. Oscardo also provides the world with unique souvenirs featuring designs inspired by native art and stunning Canadian images. Collectively, Oscardo goods can be found from the smallest family-owned establishments to the largest of department stores. They are present in retail environments, in private and public com-

panies and in museums, and they're currently exporting to over a dozen countries.

The Ontario government has laid a solid foundation for small business growth by cutting taxes, balancing budgets, eliminating red tape and removing barriers to business. These measures have made Ontario's economy and small businesses more competitive and better able to weather the economic downturn. In short, entrepreneurs have to be more shrewd to keep pace with the growing competition. Once again, congratulations to Eduardo and Oscar Lukka on their 14th anniversary and continued success.

**The Speaker (Hon Gary Carr):** The member for Mississauga East on a point of order.

**Mr Carl DeFaria (Mississauga East):** On a point of order, Speaker: I wish to thank the official opposition and the third party for their support of my private member's bill.

I seek unanimous consent of the House to move third reading of Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario.

**The Speaker:** Is there unanimous consent? I'm afraid I heard a no.

**Mr DeFaria:** Mr Speaker, I understood there was unanimous agreement.

**Interjection:** Try again.

**Mr DeFaria:** I'll try it again, Speaker.

I seek the unanimous consent of the House to move third reading of Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario.

**The Speaker:** OK, we will ask one more time. Just so everybody's clear, I'll also have the table listen. Is there unanimous consent? We did hear some noes, so we are very clear on that. I apologize.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: I seek unanimous consent for Bill 120 to be called for third reading and voted upon without debate.

**The Speaker:** No, we can't continue to have everyone in the House do that. It has been asked twice. We were very clear. Just so there was no mistake, I did look to the table, so it was very clear. As you know, when you ask for unanimous consent sometimes with the noise it's hard to hear, but in both cases definitely somebody had said no. I'm afraid unanimous consent means unanimous. It was not there and we did ask twice.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Speaker: I should say that the official opposition supports this bill, every member of our caucus. We applaud the member for Mississauga East. If I might, I would suggest perhaps the House leaders meet behind the Speaker's chair to discuss this issue so that hopefully we can deal with this today, recognizing all of our desires to pay tribute to the Portuguese community in this country and in this province in time for their celebrations next week, I believe.

**The Speaker:** An excellent idea. Meetings between House leaders are often very fruitful and hopefully this one will resolve it. If there's anything I can do, I'd like to assist, but the direction of the House is very clear.

**The Speaker:** On a point of order, the member for Niagara Centre.

**Mr Kormos:** On a point of order, Speaker: I seek unanimous consent for all three caucuses to address the matter of World Aids Day.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

The member for Timmins-James Bay.

## COMMENTAIRES D'UN DÉPUTÉ

**M. Gilles Bisson (Timmins-Baie James) :** Monsieur le Président, en français, si vous voulez prendre votre écouteur.

Je veux amener l'attention de l'Assemblée législative sur le fait qu'hier, dans le débat sur le budget qu'on a eu sous l'attribution de temps, M. Spina, le député de Brampton-Nord—je crois que c'est son comté—a fait des commentaires qui étaient très honteux, quant à moi comme député, contre la communauté francophone de la province de l'Ontario en disant que c'est tous des français qui sont chargés de l'armée, qui sont en train de prendre des décisions, ce qui était négatif dans son opinion.

La manière dont il l'a fait, c'était vraiment insultant. Comme francophone, et en tant que député de cette Assemblée, je trouve ça vraiment insultant de l'entendre parler contre la communauté francophone comme il l'a fait. Je demande qu'il donne son—

**The Speaker (Hon Gary Carr):** The member will know that any member can correct his statement. If something was said, we weren't here. I'm sure all members will reflect, and if something was said, I'm sure all members are honourable and they would withdraw.

1350

## MINISTERIAL STATEMENTS

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I did want to have the opportunity as the House leader for the official opposition to address to you the question of ministerial statements versus unanimous consents.

The tradition of this House has been to allow matters where there are not substantive policy decisions to be made to be dealt with by way of unanimous consent. Effectively, sir, that allows the opposition parties and the government to have an equal amount of time to deal with issues that there is general agreement on.

The associate minister of long-term care is about to do a statement on World AIDS Day. We were provided with the statement several minutes ago. It does reannounce certain things the government has already announced. But, sir, our understanding was, and we agreed earlier today, that we would do unanimous consent in order to allow the parties to have equal time.

You'll be aware, sir, that the rules provide up to 20 minutes for ministerial statements and five minutes for the opposition to respond to those statements. Today,

there are two ministerial statements, which means effectively we are left with 2.5 minutes to respond to two rather substantial issues.

We welcome ministerial statements on the introduction of bills, on new policy, and I recognize that the standing orders, which don't distinguish between new and old, do give the government the opportunity to address policy issues as it sees fit. We had offered earlier to allow third reading of another bill in order to protect our ability, sir, to have an equal amount of time on World AIDS Day, which I think all members agree is a significant day.

I don't believe the standing orders, as we drafted them in 1999, were designed to give the government the opportunity, as clearly the minister wants to do today, to deny the opposition. We'd be prepared to time-limit that response. The minister clearly wants to deny us the opportunity to have an equal opportunity on a matter which is, I think, of universal agreement. The people who sent every one of our members here, sent every member of the New Democratic Party here, sent every member of the government, I think feel this equally.

The kind of pettiness associated with that really, in our view, doesn't reflect well either on the minister or on all of us, for that matter. We offered something earlier today in order to do this. I ask you, sir, to impress upon the government the importance for all of us, on matters of this nature—World AIDS Day is significant to all our constituents, all residents of the province—to please not play political games with this issue. Please don't try to take away our opportunity to respond on something like this.

We had agreement earlier today. We're quite prepared to keep our statements down to five minutes. It seems an unnecessary bullying in order not to allow us to respond or have the same amount of time as the minister does in recognizing World AIDS Day and HIV in all of our communities.

**Mr Peter Kormos (Niagara Centre):** On the same point of order, Speaker: I want to join in on the comments made by the official opposition House leader. I refer the Speaker as well once again to standing order 35. Appreciating that there's some significant leeway as to the content of a ministerial statement, I'm also asking you to note that it is conditional on matters of which the House should be informed.

I submit to you, and the opposition parties were appropriately provided with a copy of that statement and the compendium, that they are all matters of which the House has already been informed. I put to you that it is for the Speaker to control abuses of the rules, and that is to say exploitation of the rules, especially when that exploitation of those rules would preclude, as the House leader for the official opposition has already indicated, a bona fide address of the issue of World AIDS Day.

Surely members in this House, some of whom have been here longer than I have, understand that there has been a tradition of addressing these matters with equal allotments of time.

There are 20,000 diagnosed people living with AIDS here in the province of Ontario. AIDS is a provincial issue, it's a national issue and it's an international issue. One out of nine members of the population of South Africa is living with AIDS. It is something this House should be addressing far more seriously than as a mere political football to elevate the stature of a junior minister.

**The Speaker (Hon Gary Carr):** Perhaps I could take a quick moment to read standing order 35 and consult with the table.

Members will know that standing order 35 is very broad. I don't have a copy of the statement; I don't even know what the minister will be talking about. Let me say this, though: there has been a tradition where governments on all sides work together on non-partisan issues. When things like this come up, that's why the House sometimes does not work. When we take situations like this and the opposition take sides on particular issues, we end up with a situation where this place, quite frankly, doesn't work. There is nothing the Speaker can do to make it work if there isn't some goodwill on all sides. I hope the government will reflect on that. I don't know if there's anything that can be done at this late date, but hopefully in the future they will reflect on that when they are doing ministerial statements.

With that, we will proceed.

## ANNUAL REPORT, PROVINCIAL AUDITOR

**The Speaker (Hon Gary Carr):** I beg to inform the House that today I have laid upon the table the 2001 Annual Report of the Provincial Auditor, who is seated in the Speaker's gallery this afternoon.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Steve Gilchrist (Scarborough East):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill as amended:

Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities /  
Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1358 to 1403.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Chudleigh, Ted  
Clark, Brad  
Coburn, Brian  
Cunningham, Dianne  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Guzzo, Garry J.

Hardeman, Ernie  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John

Ouellette, Jerry J.  
Sampson, Rob  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tsubouchi, David H.  
Tumbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Wood, Bob  
Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogianni, Marie  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Churley, Marilyn  
Cleary, John C.  
Colle, Mike  
Conway, Sean G.

Cordiano, Joseph  
Crozier, Bruce  
Curling, Alvin  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hampton, Howard  
Kormos, Peter  
Lalonde, Jean-Marc

Marchese, Rosario  
Martel, Shelley  
Martin, Tony  
McLeod, Lyn  
Parsons, Emie  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 43; the nays are 31.

**The Speaker:** I declare the motion carried.

## INTRODUCTION OF BILLS

### DEMOCRACY IN ONTARIO DAY ACT, 2001

### LOI DE 2001 SUR LA JOURNÉE DE LA DÉMOCRATIE EN ONTARIO

Mr Wood moved first reading of the following bill:

Bill 144, An Act to proclaim Democracy in Ontario Day / Projet de loi 144, Loi proclamant la Journée de la démocratie en Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Bob Wood (London West):** Prior to 1792, the French and British had successively governed Ontario with no elected Legislature. On September 17, 1792, the first elected Legislature of the province met, and it was a truly fateful day in the history of our province. Ever since that day, an elected Legislature has met regularly to do

the people's business. This bill proposes to proclaim September 17 each year as Democracy in Ontario Day. This will give our schools, Ministry of Citizenship and others the opportunity to recognize the importance of that day and that institution.

### OCCUPATION HEALTH AND SAFETY AMENDMENT ACT, 2001

### LOI DE 2001 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Mr Stockwell moved first reading of the following bill:

Bill 145, An Act to amend the Occupational Health and Safety Act / Projet de loi 145, Loi modifiant la Loi sur la santé et la sécurité au travail.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to introduce the following motion to the House:

That this House today recognize the 14th annual World AIDS Day on December 1 of this year;

That this House remember those lost to AIDS as well as the estimated 20,000 people in Ontario currently living with HIV;

That this House affirms its support for people living with HIV as well as their families and to show—

**The Speaker:** You didn't ask for unanimous consent.

**Mr Duncan:** As I understand, it was allowed as recently as yesterday that the motion could be read as part of the seeking of unanimous consent.

**The Speaker:** No, you need unanimous consent. We give some leeway to start off with. What you can't do is use it to make statements in the House, which is what some members can do. If you could get to the point quickly, so members will know in situations like that—but it's very clear that you need to ask for unanimous consent. Would you do that quickly?

**Mr Duncan:** I seek unanimous consent to introduce a motion that would recognize World AIDS Day on December 1, 2001.

**The Speaker:** That can be done, and if you do get unanimous consent, you can go into the longer motion. That's the way it should be done. Is there unanimous consent? I'm afraid I heard a no.

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## GOVERNMENT ADVERTISING

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: I'm rising on a point of order, coming almost in desperation to you, not that I should always say "in desperation" to you. We've had a report of the Provincial Auditor today. The Provincial Auditor will do nothing about this, because he says he has no jurisdiction.

The chief election officer will do nothing about it, because he says he has no jurisdiction.

**Mr Steve Gilchrist (Scarborough East):** What's the point of order?

**Mr Bradley:** I'm sorry. The Speaker over here is asking the point of order. You're not a ventriloquist, I can see.

Mr Speaker, I'm asking your assistance in this regard. We've had sent to every household in Ontario today a piece of propaganda that anybody who is objective would say is propaganda. I'm asking if you are prepared to intervene on behalf of members of this House to ensure that the Progressive Conservative Party paid for this propaganda instead of the people of Ontario.

**The Speaker (Hon Gary Carr):** The Speaker may like to intervene on numerous occasions but, as you know, I'm guided by the standing orders. The Speaker doesn't have free rein, and unfortunately I can't do anything about that in my present position.

#### ACCESSIBILITY OF HEARINGS

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent, notwithstanding the order of the House dated November 21, 2001, with respect to Bill 125, that the hearings with respect to Bill 125 not go ahead in the communities where fully accessible services to the disabled, particularly those who are hearing-disabled and those who have no access to the hearings because of lack of time to book handi-transit facilities, are not available.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

**Mr Duncan:** On a point of order, Mr Speaker: my understanding is that as of now we do have sign interpreters available for the hearings in Ottawa, which are scheduled for tomorrow. My understanding as of half an hour ago is that there are not adequate sign translators available for any of the other hearings centres.

Second, it has been brought to our attention that a number of those who wish to make presentations to the committee are not able to access handicapped-accessible transportation because there's been a lack of time to prepare for that.

It would be, in our view, in the interest of the House and of the government's desire to pass its bill to provide meaningful accessibility to those with disabilities to participate in these public hearings. Due to the time rush on this, my understanding is that there are significant gaps with respect to those important issues.

**The Speaker:** I thank the member. We did have some discussions on this and, as you know, I was aware of it. The clerks of the committee have been involved in this process. I thank the member for bringing that to my attention. I was aware of it.

The government House leader may have some clarification to help with the circumstances.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I was going to say that subsequent

to this matter being raised, the clerks and the government are endeavouring to do whatever we can to ensure that these hearings are accessible. There's been considerable discussion with all three parties about trying to make sure we have agreements on the committee hearings—the days, the time allowed. As you know, last week we actually—I'll use the word—bent the rules a little to allow the clerks to proceed with advance notice to again help make sure everybody had the time to get to these hearings. So we on this side of the House, and I know certainly your staff, sir, are doing everything we can to ensure that people do have the opportunity to attend and state their case at the hearings. So I do believe they should continue.

**The Speaker:** First the member for Windsor-St Clair, then the member for Niagara Centre and then I'll wrap up.

**Mr Duncan:** The undertakings that were made by all three parties—and I take the government House leader and the government at their word—assumed that those in the disabled community would have access to these hearings. In fact, my leader raised that issue in a question in this House some weeks ago, prior to the bill even receiving second reading. We were informed at that time that efforts were already being undertaken. It is now our understanding that notwithstanding that, these committee hearings on a piece of legislation dealing with the Ontarians with Disabilities Act will not in fact be accessible to those with disabilities.

I should also say that the official opposition is prepared to come back in January or February to deal with this, in order to allow these hearings to be fully accessible. It would seem ironic, if I might, sir—

**The Speaker:** I think you've made your point. We'll go around and then I'll clarify. Perhaps the member for Niagara Centre could quickly add to it. Again, the reason I'm trying to assist in these circumstances is that I know we have been involved and are doing everything—we are legitimately going to try to help. If it is helpful for the point of order, I will listen to the member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, I appreciate your patience with this matter. This is incredibly serious because what it constitutes, should there not be full accessibility—this is where I say the Speaker has some distinct jurisdiction—is a violation of the Human Rights Code of Ontario. We, as a Legislature, and we, as members of this assembly, and you, as Speaker, I submit, have to do everything that we can, and that you, as Speaker, have an oversight role that can be played to ensure the government in its very own conduct of these hearings doesn't in fact violate the Human Rights Code.

I do not want to be a party to a violation of the Human Rights Code, nor does any member of this caucus. We intend to recommend to anybody whose accessibility is denied that they promptly initiate litigation with the Ontario Human Rights Commission against the government and against the ministers responsible, but we want your assistance in ensuring it doesn't come to that. That

would be a catastrophe, a disaster and a shameful event, should people in this province have to litigate against this government on the Human Rights Code as a result of this government's attempt to conduct hearings around an ODA.

**The Speaker:** I want to thank all the members. I want to thank the House leader for the official opposition. He came and brought his concerns to me. We discussed that. I have a report of what's been done. I thank the member, and I'm sure that with goodwill, if we can be of any assistance, and I know the minister as well as the House leader will as well—I assure you that all the resources of the Legislative Assembly and the clerks will be going to ensure there is full access. I know the committee Chair has been working diligently and hard in that regard as well.

Hopefully, with the goodwill of all people involved, we are going to be able to get over some of the bumps and hurdles we have. I say to the government House leader or the minister that if there's anything I can do, if there's anything we can do, to assist in that, we will do that. I'm sure I can say this on behalf of all the members: it will be the intention of all the members of this House to have it fully accessible to all members of the public. With goodwill involved, I'm very confident we can do that, and again I stand ready to assist in any way if the office of the Speaker may help.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### HIV/AIDS PREVENTION AND TREATMENT

**The Speaker (Hon Gary Carr):** We have again the associate minister of health, who is getting strong legs as she gets up and down three or four times.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I rise in the Legislature today in recognition of the 14th annual World AIDS Day on December 1. This is the day we remember those we have lost to AIDS, as well as the estimated 20,000 people in Ontario currently living with HIV.

It is also a day to affirm our support for people living with HIV, as well as their families and friends, and to show our respect for the health care providers in communities throughout the province who have responded to this epidemic with such skill and compassion.

I want to assure the House that our government continues to make the fight against HIV/AIDS a priority, as exemplified by the range of programs available from the AIDS hotline to the network of HIV outpatient clinics across the province.

Indeed, that's why we place health promotion and disease prevention at the top of our health agenda, not only for HIV/AIDS, but also as an important part of our

commitment and dedication to modernizing Ontario's health system.

Through education and public awareness, we want to reduce the spread of HIV. That is not an easy undertaking, but in collaboration with the HIV community of Ontario we have been working diligently toward that goal.

In Ontario, we're fortunate to have highly skilled, dedicated and committed professionals, including community workers, public health workers, physicians, nurses, researchers and other health care providers, making valuable contributions to HIV/AIDS research, treatment and care. I want to note that our government's HIV/AIDS programs couldn't meet the challenges posed by the disease without these professionals and the active participation of people living with HIV.

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I'm proud of Ontario's contribution to the HIV/AIDS fight and of the partnerships we've established with HIV stakeholders over the years. This year we'll spend almost \$50 million for HIV/AIDS-related programs and that's in addition to doctor billings through the Ontario hospital insurance plan.

Among other programs is an investment of \$11.5 million in our community-based education and support program, which is delivered by the AIDS bureau. This money enables the AIDS bureau to fund 60 organizations and initiatives in Ontario offering HIV/AIDS education, support and practical assistance programs.

I'd also like to single out some of the important initiatives this government has introduced, starting with the \$10 million we are investing in three new programs this year: \$1 million for the injection drug outreach program, which provides ongoing HIV prevention education to a population vulnerable to HIV infection; \$1 million for the Community-Linked Evaluation of AIDS Resource Unit, which is known as CLEAR, a collaboration between researchers and community groups to evaluate community-based programs and agencies; \$8 million for the Ontario HIV Treatment Network. The OHTN, as we call it, is a multi-stakeholder agency that delivers three programs which provide research funding and projects that enhance HIV health care in Ontario.

A permanent chair in HIV/AIDS research has been established with OHTN funding at the University of Toronto. Furthermore, I'm pleased to acknowledge the appointment of Dr Kelly MacDonald to this important position. I know she will take a leadership role in identifying new and innovative approaches to HIV/AIDS research in Ontario.

I'd also like to thank the Ontario Advisory Committee on HIV/AIDS, which provides government with expert advice on all aspects of HIV/AIDS. I want to take a moment to salute the committee members and the co-chairs, Dr Don Kilby and Mr Mark Bulbrook, for their commitment to ensuring an effective response to the HIV/AIDS epidemic in Ontario.

I am proud and I know everyone in the Legislature is proud of the outstanding achievements of the Ontario

HIV community: people living with HIV/AIDS, health providers, researchers, clinicians and community workers throughout the province.

In closing, I'm pleased to reaffirm our government's commitment the fight against HIV/AIDS on World AIDS Day, not only on December 1 but on every day throughout this year.

### OCCUPATIONAL HEALTH AND SAFETY LEGISLATION

**Hon Chris Stockwell (Minister of Labour):** The Ontario government is committed to ensuring that Ontario's workplaces are among the safest in the world, where safety, productivity and competitiveness are interconnected. That is why we are introducing legislation today that, if passed, would help ensure the government is able to continue to fully protect the health and safety of Ontario workers.

We are taking this necessary step to respond to the Ontario Court of Appeal ruling, *R v Inco*, which concerned charter protection from unreasonable search and seizure. The decision has significant implications for how the Ministry of Labour inspectors conduct their investigations under the Occupational Health and Safety Act.

The proposed amendments would, if passed, allow inspectors to apply for a warrant to use a range of investigative techniques when they have reasonable and probable grounds to believe an offence is being committed under the Occupational Health and Safety Act.

The proposed amendments would provide for judicial oversight to help in safety enforcement. When an investigation is at a stage where a warrant is required, the justice of the peace or judge would weigh the needs of the investigation against the charter privacy rights in deciding whether to issue the warrant.

That is why I'm announcing today that the government will introduce legislation which, if passed, would amend the Occupational Health and Safety Act to allow our Ministry of Labour occupational health and safety inspectors to apply to courts for warrants and judicial authority to continue to use a range of investigative tools.

In the interest of all Ontarians, I urge all parties to work together to support quick passage of this bill, so that the health and safety of Ontario workers continues to be protected. I might add that I'm very hopeful, considering the good response I've had from the opposition members. I'm sure all of us will work together to get this through as soon as we can.

**Mr Dominic Agostino (Hamilton East):** On behalf of Dalton McGuinty and the Liberal caucus, first of all, let me say that we will support any legislation, any change that will help make the workplace a safer place for men and women. Certainly as a result of the court ruling we know that this legislation is necessary in order to give inspectors proper access to the workplace in order to inspect possible violations and carry out investigations. Without having looked at the bill in detail yet, we will support the intent of this legislation and we'll work

with the government to put this through as soon as possible. I want to thank the minister and the ministry staff for the briefing they gave us previous to this.

That being said, we still have some very serious concerns on this side of the House about this government's commitment to health and safety in the workplace, to the funding they've given to properly inspect and carry out workplace inspections and a number of changes this government has made certainly lead us to believe that clearly the priority is not workplace health and safety. Let's remember this is the government that passed Bill 57, that will now allow an inspector over the phone to make a determination whether or not a workplace is safe, whether or not a complaint is valid. To us, that is too risky. That is gambling with the health and safety of workers across Ontario. We still believe an inspector should be able to go to a site and make an assessment once he or she sees the problem, not simply through a phone call trying to determine if the workplace is safe. We believe that would go a long way toward improving workplace health and safety.

Last year, there were 247 deaths in the workplace in Ontario, an increase from 200 the previous year. Forty-seven more people died in Ontario last year than in the previous year. More has to be done.

We had a private member's bill which I proposed, which had been supported through two readings and which had gone through committee, that would make penalties for workplace health and safety violations among the toughest in North America. That bill has been sitting there for months now. This government has no intention of bringing that bill forward. This government has no intention of putting into place legislation that would get tough with individuals who believe it's simply the price of doing business to commit workplace health and safety violations where men and women get killed every day across Ontario in the workplace. If this government was committed, they would bring that bill forward for third reading before the end of the session. That would send out a clear signal that we're serious about it, that we're intent and we all have a responsibility to prevent every single death and injury that occurs in the workplace in Ontario.

### HIV/AIDS PREVENTION AND TREATMENT

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** This year, in marking World AIDS Day, the United Nations has chosen the slogan, "I care. Do you?" It's symbolic of the continuous effort of the United Nations to build awareness of a disease which is truly pandemic.

It has been two decades since the first AIDS case was diagnosed in North America. Since then, it has moved to touch every community and population. It has crossed all boundaries—not geography, not gender, not colour or race, not age. It strips people of their immune systems, leaving them vulnerable to infection and disease. It robs people of their loved ones, their children, their fathers

and mothers, their sisters and brothers. Of the 40 million people living with HIV/AIDS around the world, 800,000 of those are children. Last year, HIV/AIDS claimed some three million lives.

In marking World AIDS Day this year, there was an even gloomier than usual report from the United Nations as they presented the latest worldwide AIDS statistics and showed a new and terrifying spread of the disease into Russia and Eastern Europe and persistent appalling infection rates in much of Africa. It led the UN AIDS executive director to say, "Unequivocally, AIDS has emerged as the most devastating disease that mankind has ever faced." I don't have time to read the reality of the increasing incidence of AIDS into the record, but just to note: North Africa and Middle East, a 22% increase in the incidence of HIV/AIDS last year; South and South-east Asia, a 15% increase; Eastern Europe and central Asia, a 33% increase. We're not exempt: a 5% increase in HIV/AIDS in North America.

I want to acknowledge that even as the rates are rising, leadership is being provided. Leadership is being provided through research, through the constant development of new hope and the hopes for cures. It's being provided at local levels, where there's a new University of Toronto study that's being undertaken to deal with the rising incidence of HIV/AIDS in the gay and bisexual male population. It's being provided through the creative advertising campaign "Condom Country." I want to recognize it's being provided by the province. I want to recognize that leadership is being provided at a national level through Allan Rock and his work on the Canadian AIDS strategy, and through Maria Minna's work, making AIDS a focus with her work at CIDA.

But I want to also recognize that people living with HIV/AIDS need access to good health care, whether at emergency rooms, through home care or through palliative care. We can't congratulate ourselves on the progress we're making when there is still so much to be done.

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### OCCUPATIONAL HEALTH AND SAFETY LEGISLATION

**Mr Peter Kormos (Niagara Centre):** First, to the Minister of Labour, I have read the act. I'm aware of the Inco decision. I've read the Inco decision and the Ontario Court of Appeal decision. The decision is one that causes New Democrats some concern. I'm speaking of the Court of Appeal decision, a three-judge panel led by Justice McMurtry. It's incredible that that decision would appear to compel—in particular, section 2 of this bill, subsection 56(1) of the Occupational Health and Safety Act—that a warrant would be required to take measurements of and record by any means the physical circumstances of the workplace, but it very much appears to be the case.

In that regard, we will examine this legislation carefully. I can assure the workers of this province that if this legislation indeed, as it appears to at first blush,

enhances the power of occupational health and safety inspectors to do their jobs, we will be supporting the bill and we will be ensuring that it becomes law promptly.

Having said that, of course, I was hopeful that along with the amendment to the Occupational Health and Safety Act would have been a response to the coroner's jury inquest into the deaths of Redekopp et al, three farm workers who died in their workplace, a workplace that was not governed by the Occupational Health and Safety Act because this government believes in second-class workers, and those second-class workers specifically are agricultural and farm workers, who have no protection under the Occupational Health and Safety Act. I would have hoped that today's announcement by the minister would have included not only the amendments that he indeed tabled but as well inclusion of farm workers under the Occupational Health and Safety Act.

### HIV/AIDS PREVENTION AND TREATMENT

**Mr Peter Kormos (Niagara Centre):** Let me please respond to the junior minister of health. She stands and purports to tell this House that her government continues to make the fight against HIV/AIDS a priority. New Democrats don't believe her. Quite frankly, the vast majority of Ontarians out there, especially the 20,000-plus Ontarians living with AIDS, don't believe her either.

The reality is that if this government were in the least bit concerned about the plight of those 20,000-plus Ontarians living with AIDS, most of them in the context of Ontario men, among the 59,000-plus across this country living with AIDS, the fact is that if this government had any sense of priority around the fight against AIDS, this government would be addressing the issue of doctor shortages, especially in small-town Ontario, where people living with AIDS find it increasingly difficult to access medical care.

This government, if it had any prioritization of the fight against AIDS, would not be attacking home care services, underfunding them, because the fact is that people with AIDS need those home care services. They are among the huge chunks of our population—elderly, disabled and sick—who are increasingly being denied home care, which is hastening their literal demise and debilitation, as well as hastening their placement into institutional settings.

If this government had any prioritization of the fight against AIDS, it would not have abandoned recipients of ODSP. This government has left ODSP recipients at the same level of income that was imposed on them over six years ago now.

This government has shown disregard for people with AIDS on the day prior to World AIDS Day. Its minister—a junior minister—stands up and attempts to make hay by trying to impress somebody in this Legislature by declaring that there's a prioritization on her government's part in the fight against AIDS. We reject that proposition and indeed say that that proposition does not stand the test of any scrutiny.

It's also impossible to talk about AIDS without talking about AIDS in an international context. I want to in this Legislature, around the event of World AIDS Day, commend and thank and express gratitude to Stephen Lewis as a special envoy, as you know, around the issue of AIDS in Africa. AIDS is a tragedy in Ontario and North America, an incredible tragedy, and the statistics show that the rate at which AIDS is being contracted is increasing. The age range of men suffering from AIDS is 25 to 44. These are young men and women who are being knocked down, who are being wiped out by this epidemic, just as one out of nine sub-Saharan Africans is suffering from AIDS. Archbishop Desmond Tutu has called it the new apartheid.

The pharmaceutical industry, in its pursuit of greater and greater profits and with federal governments in its back pocket, has abandoned these people. This government shouldn't abandon them as well.

### VISITORS

**Mr George Smitherman (Toronto Centre-Rosedale):** Mr Speaker, on a point of order: I would be remiss in my duties if I didn't ask members to join me in offering a warm welcome to the women from St Josephs College school, who join us in the gallery.

### CONTEMPT OF PARLIAMENT

**The Speaker (Hon Gary Carr):** The member for Windsor-St Clair has given me a point of privilege and has complied with the rules.

**Mr Dwight Duncan (Windsor-St Clair):** Mr Speaker, I wrote to you earlier today pursuant to standing order 21(c). It would be my submission that senior management officials in the Ministry of Transportation have perpetrated a contempt on this Legislature by impeding and obstructing an officer of this House, the Provincial Auditor.

What is it to be in contempt of Parliament? Let me quickly cite two references from the 22nd edition of Erskine May.

Quoting from page 108, on contempt, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence."

On page 125 of Erskine May, the 22nd edition, under the subtitle "Obstructing officers of either House," I read, "It is a contempt to obstruct or molest those employed by or entrusted with the execution of the orders of either House while in the execution of their duty."

Further on it is indicated, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any

conduct which may tend to deter them from doing their duty...."

In the recently published House of Commons Procedure and Practice manual by Marleau and Montpetit, it is similarly affirmed that it is a contempt of Parliament to stand in the way of an officer of Parliament who is doing his or her duty. Let me cite one reference from Marleau and Montpetit. Page 67 references a ruling by Madame Sauvé, who was Speaker in 1980 when she wrote, "While our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred."

Finally, section 46 of our own Legislative Assembly Act sets out the jurisdiction of this House to inquire into and punish as breaches of privilege or as contempt a number of matters including, "Assault upon or interference with an officer of the assembly while in the execution of his or her duty."

The case of privilege I rise upon today stems from the report tabled earlier today in the House by the Provincial Auditor. In his report the auditor states the following: "For the first time since being appointed Provincial Auditor, I have to report on an instance where my office did not receive all the information and explanations we required." The auditor goes on, "During our ... audit of the Ministry of Transportation's road user safety program"—and he references chapter 3, section 3.11—"contrary to section 10 of the Audit Act, the then senior management of the ministry hindered the audit process by not giving my staff full access to pertinent files, not providing all information requested, and deleting parts of pertinent documents they provided. As well, certain restrictions were placed on ministry staff such that they may be inhibited from speaking freely with my staff."

The Provincial Auditor's role as an officer of the Legislature is extremely important. To quote directly from the auditor's mission statement, "The office assists the assembly in holding the government and its administrators accountable for the quality of the administration's stewardship of public funds and for the achievement of value for money in government operations."

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In order to fulfill this mandate, the auditor must be able to perform independent audits of the government's programs, its crown agencies and corporations without hindrance. That is the auditor's word, "hindrance." To try and obstruct or impede him in performing his audits violates the rules that govern this House and violates, I would submit, Mr Speaker, the sanctity of Parliament.

I submit to you, sir, that the Ministry of Transportation's actions with regard to the Provincial Auditor do constitute a prima facie case of contempt. I submit these matters to you for your urgent and serious consideration and trust that you will agree with me that there is a prima facie case of contempt.

Mr Speaker, this is yet another officer of this assembly who has made, in our view, substantial allegations

against the government referencing the government's desire or willingness to be held accountable by the people who were elected to hold them accountable. I ask you, sir, to consider this specific case not only in the context of the specifics I've raised, but in the context of the history of the role of Parliament in holding a government accountable.

It is this Parliament, sir, which holds the government of Ontario accountable. When the House's auditor alleges hindrance on the part of ministry officials, in our view he is alleging that our work as members has been obstructed and that in fact our privileges have been denied.

The rapid diminution of the powers of Legislatures to hold governments accountable, whether it be in Ottawa or here or in Westminster, threatens the very element of our democracy. It threatens our ability as a people to hold a government to account in a fair and open process. I ask you, sir, in the name of the history of Parliaments, in the name of our Commonwealth traditions, to affirm this Legislature's right to hold governments accountable through officers of the assembly so that we can preserve the very essence of the democratic institutions which have served this great land so well for so long.

**The Speaker:** I thank the member for his work on that and for the copies that he did provide to me. Obviously I haven't had a chance to read the auditor's report within the time frame.

The government House leader for some clarification?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I very much appreciate the opportunity to respond to the honourable member.

I think, first of all, the members of the government certainly agree that an auditor must be independent and an auditor must have full access. That is a very important accountability measure and initiative which this government has many times stated. We have many times supported the auditor, welcomed his recommendations, worked on those recommendations, attempted to do our best to implement the procedures and the recommendations that this auditor has brought forward. We would have no intention of doing otherwise, and we certainly welcome those recommendations and agree with the need for independence and full access.

But it's certainly our submission that in this case the auditor's concerns, as expressed in the report and by the member, do not constitute a *prima facie* case of contempt. I know we've heard this concern raised by the opposition many times before, and many times before the facts have not supported their request, nor have rulings by the Speaker supported their request.

For a *prima facie* case of contempt to be found, there must be sufficient evidence to support the claim that the House, one of its members or, in this case, one of its officers has been obstructed in their ability to perform their duties. In this instance, in the Provincial Auditor's dealings with MTO, with transportation, no such case can be made. The proof is that we have in today's report a full value-for-money audit of the road user safety pro-

gram. It's a full analysis. The auditor certainly indicated that he did encounter some difficulties and delays in the initial stages in obtaining the required information, but the fact remains that he got the information he needed; he got the job done.

When Minister Clark became aware of the problems, he acted on them; he fixed them. He went to great lengths to ensure the auditor's needs were recognized. That is the way it should be. The minister's role is to oversee the ministry. He is responsible and accountable for the actions of the public servants who report to him. If he is held accountable for the problems, I believe he should also be commended when he has fixed those problems.

When Minister Clark became aware that the auditor was not being provided with all the information necessary, he met with the auditor, he called in his deputy and he created a code of conduct to provide strict instructions that his staff should comply with the requests of the auditor. He made sure this code was quickly and fully implemented.

That is the way it should work. What is described in the auditor's report is a commendable step taken by a minister to ensure that the auditor had the information that he needed. The auditor himself, in the report, goes out of his way to acknowledge the minister's timely action and commitment to ensure proper compliance with the audit process. The auditor includes the text of a letter from Mr Clark, which I believe certainly shows the actions that were taken, where the minister says he appreciated "the gravity of the issues" the auditor has raised and that "as I said at our meeting, I am deeply distressed at the matters brought to my attention. Following our conversation I directed the first item of business for the MTO audit committee" to be "the development of a code of conduct for dealing with your office"—the auditor's office. "You will be consulted on the content of this code, which will be fully implemented throughout the ministry by the end of summer 2001.

"As I mentioned this morning, I feel strongly about the vital role of your office in serving the public and the Legislative Assembly to ensure value for money in the operations of government. Fulfilling this role requires that you have open and unfettered access to all necessary information needed to carry out your audit. As a result, I have instructed the MTO audit committee to provide me with an update of their progress...."

"Thank you ... for bringing these serious matters to my attention. You have my personal commitment that you will have no such difficulties with my ministry in the future."

The action was taken, which the auditor himself goes out of his way in his report to comment on. He concludes the one section of his report by saying that "we are confident that the commitments conveyed to us by the new minister and deputy minister will ensure that the access to information problems we encountered during this audit will not re-occur in future audits."

If the auditor felt that intervention was necessary by this House, he would not have made that statement. The

role of the House in such matters should be to act as arbiter and judge when a dispute ensues. It calls into question the rules and the officers that the House has set in place. Where these rules and officers are undermined, the authority and respect, we agree, of the House is diminished and the House must protect itself. But in this case, as the auditor has concluded, his concerns and authority were respected and he was able to complete his audit free of obstruction so that the House need not intervene.

I should add that upon implementing the code of conduct for dealing with the office of the auditor, Minister Clark has shared this code with all of the ministries so that future problems can be avoided. He has indeed—the minister—taken action to address the problem and provided the auditor with the information. The auditor completed his report. He was not obstructive. Therefore I believe that the House need not take further action in this matter as a *prima facie* case of contempt has not been made out.

Just to be very clear, in the auditor's report today, he said: "Following the completion of our audit fieldwork, we raised these matters with the newly appointed Minister and Deputy Minister of Transportation, who immediately took steps to avoid any recurrence of access-to-information problems in the future. Most noteworthy is the fact that they implemented a ministry code of conduct for dealing with my office that is designed to avoid such occurrences in future."

**The Speaker:** I thank the House leader for the official opposition and the government House leader. I will hear from the Minister of Transportation as well.

**Hon Brad Clark (Minister of Transportation):** Since this deals directly with my ministry and under parliamentary protocol and tradition the minister is responsible for his ministry, it's appropriate that I would respond to the allegation that my ministry is in contempt of the House.

I think it's important that we recognize and put into context exactly what has occurred here. When it was brought to my attention in June what had occurred and what the auditor had found, I actually took the unprecedented step of inviting the Provincial Auditor of Ontario to meet with me to discuss the matter. I felt it very important that the reality of a value-for-dollar audit and the sanctity of the Provincial Auditor is vital and that I sit down and speak with him.

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When I met with the Provincial Auditor, he raised the concerns that he found in his audit, which was completed as of February. I should point out that I believe the ministry staff acted in good faith. The issue in contention with the auditor was regarding documents that the ministry staff believed in good faith were advice to cabinet. They subsequently provided that information to the secretary of cabinet. In March of 2001, the secretary of cabinet informed the Ministry of Transportation that they could release that documentation to the Provincial Auditor. So the reality is, the documentation at the end of the day was released to the Provincial Auditor.

For me to be found in contempt on this matter—the reality is that as soon as it was brought to my attention, I wrote a letter to the Provincial Auditor. We brought in a code of conduct, which has been submitted, and the ministry is now under that code of conduct. We also received a letter from the internal audit division of Management Board Secretariat, thanking me for developing the code of conduct and informing me that it is being moved into all ministries across the province.

So we acted very quickly to rectify the situation. We happen to believe that the Provincial Auditor serves a valuable role for the province of Ontario and for the taxpayers. We corrected the matter with due diligence.

**The Speaker:** I think I've got enough to make the decision. We've heard from both sides. I will look at the report. As somebody who is looking at this from the outside, though, I've been involved in this on numerous occasions. If it does turn out to be, as the minister said, where he did get involved, all this can be settled if ministry staff know right up front in dealings with the auditor to provide it. We wouldn't need to go through this; we wouldn't need to have ministers go in and meet with the auditor.

The auditor has a job to do. It's beyond me why ministers can't instruct their staff to deal with the auditor on situations like this. I've had some dealings with the auditor and have instructed him that if in fact he does find that he is being thwarted, to pick up the phone and speak to the minister. But, for the life of me, I can't understand why we have to go to that length to get auditors to go to ministers when it's very clear that the ministry staff should be providing it.

I thank the member for his submission that he gave to me in proper time and in proper forum. I thank the government House leader—her quotes were very helpful—and also the minister, hearing from him directly. What I will now do is look at the auditor's report, look in the contents of all these statements and make a decision. I thank all of you for your time.

## ORAL QUESTIONS

### FOOD INSPECTION AND SAFETY

**Mr Dalton McGuinty (Leader of the Opposition):** My question today is for the Minister of Agriculture. Minister, you have, in some ways, one of the most important jobs over there. Your job is to make sure that food is safe for our families. Today, the auditor is telling us that you're failing in your job and, as a result, you're putting lives at risk.

He says that critical deficiencies which can "pose risks to human health" were found at slaughterhouses right across the province. He says that meat is being processed in unsanitary facilities. He says that raw meat is being transported in unrefrigerated vehicles. He says that despite knowing all of this, it often takes you more than half a year to do anything about it.

Now, in my books, I call that gross negligence. You are letting our families down. What do you have to say?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** In response, we welcome the Provincial Auditor's thorough review of our food industry program. That's very much part and parcel of the checks and balances that we have and that we have inside the ministry as well.

We have introduced new legislation, Bill 87, that addresses food safety and certainly the operation of many aspects of the checking and inspection of food. Thirty-two recommendations were recommended by the Provincial Auditor, and to date staff have initiated 33 new program directives, of which 15 are completed already and 18 are in the process of being completed.

Surrounding meat inspection, our government has increased surveillance, inspections, monitoring, and enforcement of all food processing establishments. A perfect example is, since 1999, staff have conducted 80,000 tests on a total of 40,000 carcasses for any possible trace of chemical or microbial residue.

We are constantly moving forward with new corrective actions in terms of food safety.

**Mr McGuinty:** Minister, you have known for some time that our slaughterhouses are operating with—to use the Provincial Auditor's terminology—"critical deficiencies that risk human health." Notwithstanding that, you actually cut the number of food inspectors and you've cut the food inspection budget.

What I am very much afraid of is that nobody over there has learned the painful lessons to be drawn from the Walkerton tragedy. You will remember that, Minister: seven people lost their lives; thousands were made sick.

We learn now it's taking you up to 200 days just to notify the slaughterhouses when they have problems; and then, beyond that, 40% of those critical deficiencies don't get fixed by the time they're supposed to be fixed; and then, even worse, one third of those critical deficiencies don't get fixed at all.

Minister, again, this is fundamental. It's about the health and safety of our families. It's about the food that they put into the mouths of their kids. Have you learned nothing from the Walkerton experience?

**Hon Mr Coburn:** We have made significant gains and significant changes in terms of inspections. A significant number of our staff provide technical and scientific support. We take advantage of new technologies and new science in terms of food inspection in our abattoirs, in terms of all food inspection. This includes food engineers, compliance officers, numerous scientists and HACCP advisers and many veterinary scientists. On top of all these highly qualified specialists, we employ 139 meat inspectors. To boot, the efficiencies that we have in terms of working with our abattoirs and the efficiencies in the meat inspection industry have increased the number of hours. Every time slaughter takes place, there is a licensed inspector on the premises.

**Mr McGuinty:** Minister, your answers are cold comfort to Ontario's families. The bottom line is that you

have made cuts to your food inspection budget and you have made cuts to the number of inspectors out there whose job it is to protect the health and well-being of our families. That's the bottom line in this matter.

You are failing, Minister, to do your job. Just like Walkerton, your cuts are endangering families. You have been warned time and time again. The Provincial Auditor has warned you. My colleague here the member from Windsor put the question to you several months ago on this very issue. The Toronto Star ran an extensive series on this matter. You have been warned time and time again, and now your solution under the terms of your new bill will be to introduce more privatization when it comes to inspection of our slaughterhouses.

Minister, when are you going to learn that your cuts are putting our families at risk?

**Hon Mr Coburn:** In terms of the comparison that the Leader of the Opposition is making to Walkerton, the Walkerton situation was taken very seriously, and that's why we called for a public inquiry into that terrible situation.

We continue on a daily basis, and have consulted over the last two years in terms of developing Bill 87, to improve food safety protocol with the inspection of meat and other foods in our industry. Certainly we are recognized for producing the safest food in the world, and to stay on the leading edge of that we have continued to bring forward new legislation and new protocol to be able to deal with that.

## WOMEN'S SHELTERS

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the minister responsible for women's issues. When an abused woman is forced to take her children and run from a man who is beating her, our society has a moral responsibility to help.

According to today's auditor's report, you are failing these women and their children. You are not providing them with a safe haven from abuse. In fact, you are turning them away, and that is nothing short of a disgrace.

Minister, how can you justify turning women with children away who are seeking refuge from an abusive relationship?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** Speaker, I'll send that question to the Minister of Community and Social Services, who is responsible for that file.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** We recognize as a government that providing support to women who are fleeing domestic violence is an incredibly important priority. We recognize that certain services are important, and this has been an area to which we have given a great deal of attention. I do want to be very clear, particularly with the comments that the Leader of

the Opposition has made, that women are never turned away and sent back to an abusive relationship.

I will go on and say very directly that we have made a series of substantial investments with respect to violence against women. This government, in the last two years, can be very proud of the incredibly significant investments we've made, not just in terms of children who are the witnesses of domestic violence, not only in terms of transitional steps, but also in expanding the capacity of shelters around the province of Ontario.

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**Mr McGuinty:** Minister, you obviously have not paid attention to the Provincial Auditor's report from today. He specifically says that staff at one of the shelters they visited advised them that over 1,000 women and children had been turned away during the year 2000. He didn't say that they had escorted those women to some other sanctuary and place of refuge. He said that the door was closed on them. He said that they said, "There's no room here at the inn. You're on your own."

Do you understand how tough it is for a woman, in the first instance, to have to make this decision, to have to decide she's going to leave this abusive relationship, leave her home and her belongings, take the kids, hit the streets and go to a shelter? That's a tough decision. We have a responsibility—that's a word I haven't heard in this House in six and a half years over there—as a society to lend a hand to these women. You're turning them away. That's what this is all about. What are you going to do about this, Minister? What are you going to do to lend a hand to these women and their children?

**Hon Mr Baird:** I'll be very direct to the Leader of the Opposition and tell him about the commitment which we have given this issue.

*Interjections.*

**The Speaker (Hon Gary Carr):** Minister, please take your seat. Order. The temperature's getting up. We don't need to have people yelling in anger like that at each other. I know it's a very emotional issue, but I would ask all members to please calm down. I know it is a very sensitive issue, but we can't have people shouting across in anger toward each other. That's not what should happen in this House. We can have lively debate, but please don't shout across in anger like that. It makes it very difficult. Sorry, Minister.

**Hon Mr Baird:** I'll give the Leader of the Opposition some very specific examples of the progress that we have made in recent years on this issue. Last year, we gave more than \$5 million in increased support to help women escape abuse, with respect to transitional measures. We gave \$5 million in new support to help children who are the witnesses of domestic violence. This year, in an unprecedented step, the Minister of Finance, this government and this caucus provided more than \$27 million to expand the capacity of shelters for women who are the victims of domestic violence right across the province of Ontario. We'll be able to build more than 300 new beds in every part of the province. We'll be able to refurbish an additional 136 beds around the province. We also

stepped up to the plate to provide an additional \$9 million to expand the supports and counselling services for women who are the victims of domestic violence.

The Leader of the Opposition could not look at any two years in Ontario's history and see a greater expansion of community supports for domestic violence. We've made an unprecedented commitment in the year 2000-01 and—

**The Speaker:** Order. I'm afraid the minister's time is up.

**Mr McGuinty:** What we know, Minister, on this side of the House, is that in one shelter alone over 1,000 women and their children were turned away, while at the same time you've been able to find \$2.2 billion for additional corporate tax cuts. Those are the facts. That's what people understand and that's what these women understand in the most painful way possible.

This is not the kind of Ontario that I want my daughter to grow up in. This is about our mothers, this is about our sisters and this is about our daughters. You have a solemn responsibility, together with the minister responsible for women's issues, to make sure that any woman who feels that she must leave her home, take the kids and hit the streets has a place of refuge which is sponsored by our government. That's how we come together. That's how we give expression to those women that we're here and we're going to care for them. I'm asking you once again, Minister, why is it that in one instance alone 1,000 women couldn't find help because you closed the door on them?

**Hon Mr Baird:** I'm going to respond very directly to the honourable member. For that member to stand in his place and to suggest that this government or that I, as minister, would slam the door on any woman who is fleeing domestic violence is just about the worst possible thing I've ever heard him say, and he ought to bow his head in shame. It's an absolute disgrace that he, or any member of this House, would suggest that any member of this House would want to slam the door on any woman who is fleeing domestic violence.

Look at the facts: \$10 million of increased funding last year to expand programs for women and their children; and this year, in the budget presented by the Minister of Finance on behalf of this government, \$27 million to expand the capacity to provide more beds, to provide refurbished—

*Interjections.*

**The Speaker:** Order. Sorry, Minister. New question.

#### FOOD INSPECTION AND SAFETY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. Today in Ontario 12 people suffer from E coli poisoning, and the auditor's report tells us why. It's because your government has substantially cut the number of food inspectors and food inspections. He points out that what all this means is that slaughterhouses in Ontario do not meet the health and

safety standards. Rusty equipment, unsanitary food surfaces, transporting meat in non-refrigerated transports: all of that and more has been happening and is still happening.

Tell us how it is that you can boast about more tax cuts for corporations and the well-off while something as fundamental as the safety of the food our citizens eat isn't a priority for your government?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The Minister of Agriculture, Food and Rural Affairs.

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I understand Ontario's chief medical officer of health, Dr D'Cuhna, is investigating this case. The Ministry of Health and Long-Term Care, together with the public health units, have the lead in investigating these disease outbreaks. The source of infection is unknown at this time. Public officials are looking at all possible cases and gathering all information to try to determine if there is a connection between these various cases.

I want to make it clear that there is no cause for alarm and that a full investigation by our public health units across the province is underway.

As a bit of advice, I encourage all Ontarians to take precautions to avoid E coli contamination by washing their hands, cooking meat thoroughly, washing all fruits and vegetables and cleaning cooking areas.

**Mr Hampton:** Talk about someone trying to wash their hands. The auditor says you're failing on food inspection, and you don't even want to respond to the question.

This is what else the auditor said. He said it's not just slaughterhouses. He said that dairy plants and milk distributors are also operating without proper inspection. Sixteen of 46 dairy plants were not inspected last year. Only 30 of 227 milk distributors ever saw a government inspector in the last two years. Your complete failure to inspect milk producers could be a catastrophe. He points that out. All of this is happening after Walkerton. Then you come and tell the people in your new Food Safety and Quality Act that you're going to solve the problem, but in fact in that bill you're going to do exactly what you did at Walkerton: privatize more of the inspection.

Minister, when the strategy you're following now in the Ministry of Agriculture—privatizing more of the inspection—is exactly the strategy that was followed before Walkerton, tell me how you're going to protect the food that Ontario citizens eat.

**Hon Mr Coburn:** Our government has recognized the need to continue to improve our food safety initiatives, and I'm proud of the significant progress we have made in advancing food safety in this province over the past few years. Our government is committed to strengthening Ontario's food safety system, and we've done just that. We strengthened the abattoir audit system. There's immediate compliance with food safety standards, or they are shut down until they do. We've got an audit on the Dairy Farmers of Ontario's milk testing program.

We've developed a leading-edge computer system that allows us to track in much more detail the meat and dairy inspections so we can take corrective action immediately. We've greatly improved the chemical residue and microbial testing in meat. We've done more tests for more residues more often and get the results more quickly. This is taking advantage of new technology and science-based initiatives to make a much more efficient and safer regime for protecting our residents and our food safety initiatives.

**Mr Hampton:** The auditor writes this report so you can benefit from it, not so you can deny it. What you've said is completely torn apart by the auditor's comments. He says that 90% of the samples of goat's milk had too high a bacterial content and your ministry did nothing about it—nothing.

1510

He points out that there are insufficient inspections, failure to follow up on corrective measures, and you don't even have standards to enforce the level of bacteria in the cheese that people eat. He points out that in 1995, there were 103 full-time meat inspectors in your ministry; in the year 2000, there are eight. That is what you've been doing. In order to finance tax cuts for corporations and the well-off, you are putting the food safety of Ontario citizens at risk, something so fundamental. What are you going to do to fix the problems that the auditor has recognized are happening now?

**Hon Mr Coburn:** As I indicated earlier, we welcome the Provincial Auditor's thorough review of our food industry program. The auditor made 32 recommendations, and that's consistent with the improvements we've already embarked on and are starting to work on to date. We've initiated and identified 33 new program directives; 18 of them are already completed and another 15 of those are in progress. We've certainly strengthened our audit procedures, as I indicated before, in our abattoirs. There are fewer abattoirs, more efficient, and the industry requires fewer inspection hours for slaughter processes. We've allocated more staff funding to enhance our inspection system than ever before. In addition to more than 130,000 inspection hours for slaughter processes, we have 50,000 inspection hours for further processing activities and 10 new food inspection scientists and technicians, the equivalent of 17,000 hours, to better target our meat inspection processes.

We have a strong track record on food safety in this province and we are continuing to enhance that each and every day.

## WOMEN'S SHELTERS

**Mr Howard Hampton (Kenora-Rainy River):** I have a question again for the Deputy Premier because I believe these are his priorities. The auditor tells us today that your government is putting women and children at risk of violence through abusive partners because you are turning them away from the safe shelters they need. Eight out of nine of the Ministry of Community and Social

Services regional offices report sending women and children to hostels for the homeless because there isn't enough room for them to receive safety and protection at the local women's shelter. Your own ministry offices—eight out nine—are reporting that. Deputy Premier, how can you boast about more tax cuts for corporations and the well-off when your own government offices are telling you that you are slamming the door on women and children who are in desperate danger?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I'll refer this to the Minister of Community and Social Services.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** We make women who are the victims of domestic violence a substantial priority in the province of Ontario. The auditor looked at some examples where obviously more could be done. The answer they got from this government was yes. It was yes to \$27 million in capital support to help expand our system of shelters, yes to refurbishing 136 beds across the province of Ontario, yes to providing \$10 million in transitional supports to help women realize some freedom and safety from violence and to help them get established again in their communities and to more support to help children who are witnesses and victims of domestic violence.

It's an unprecedented commitment. I don't think in two years at any time in the history of the province of Ontario has the sector of violence against women seen a bigger budget increase than it has over the last two years. The member opposite measures compassion by how much money is spent. Maybe he could stand in his place and explain why our government is spending more than \$20 million more to help women who are victims of domestic violence in my ministry than he did when he sat around the cabinet table.

**The Speaker (Hon Gary Carr):** Supplementary?

**Ms Marilyn Churley (Toronto-Danforth):** Minister, I'd ask you why, then, are thousands of women and children still being turned away from shelters? That is the fact that was revealed today. Each day we read more details of the brutal murder of Gillian Hadley, and that's all you have to say. A woman leaves her home, there is no affordable housing for her, and they are being turned away from shelters.

The auditor's report clearly shows that women's shelters are not adequately funded and women are being turned away because the level of service isn't there.

Minister, you should have done what the May-Iles inquest recommended instead of faking it with the upload from municipalities. They said you should do a study and look at what's going on out there. You didn't do that. I'm going to ask you now, will you turn back your corporate income tax and give it to those shelters so that they do not have to continue turning away women and children and so that we don't have another Gillian Hadley and Arlene May tragedy in this province ever again? Will you do that?

**Hon Mr Baird:** Some wanted to study whether we should increase support and financial support to women who are the victims of domestic violence. We said no. We said we would provide that financial support—substantial new support—without the study. We also provided expanded service and support to the assaulted women's helpline. One member who attended the press conference said:

"This is a very important announcement today, and I want to say to the government and the ministers, particularly John Baird who I knew during the time was playing a really important role ... in getting ... support and taking it forward and I want to say a big thank you.

"I'm thrilled that it's here today. I've always believed that when government does something good, one should say that."

Do you know who said that? The former member for Beaches-Woodbine, Frances Lankin, congratulating this government on providing more support to women who are the victims of domestic violence.

#### MINISTRY OF HEALTH SPENDING

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the associate minister of health. Every time your failure in health care is raised you point to the books and say, "Hey, look, spending is greater than ever." After today, nobody in Ontario should believe a word you say about the health budget. You tried bluffing your health care funding. You have been found out and the auditor has just called your bluff.

According to the auditor's report, this government overstated the health budget by more than \$1.1 billion over the past two years. He declares, and I quote, "The practice of charging multi-year funding to the current year's operations must cease." You have been caught doctoring Ontario's health books. Minister, why should anyone believe a word you say about health care now that this scandal has been exposed?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Let me say that this government appreciates the work done by the auditor, and so does the Ministry of Health. The process of using multi-year funding has been a process that has been used by this government and past governments, both Liberal and NDP. This government has agreed to look at that process, to move forward to see what we can do to come into compliance with the auditor.

This is not new at the Ministry of Health. This is a process that has been the process when the Liberals were there, when the NDP was there and now the Conservatives are here. Let me say also that I need to remind everybody that at least with this government we keep one set of books.

**Mr McGuinty:** Minister, you have been caught. You have been found out. Mike Harris is going around the province and going to Ottawa, trying to pick fights with the federal government, as is his wont, and he's saying, "Look at our books. The numbers speak for themselves."

It's perfectly obvious now, according to the Provincial Auditor, that this is in fact not the case. You can't rely on your numbers. The auditor is saying that you claim you spent \$1 billion in one year, and then he tells us that is not true. You never did. You intend to spend it over the course of four years. He tells us that you claim you spent \$140 million in another year, and he tells us again that is not true. You intend to spend that over the course of four years.

You've been caught cooking the books, Minister. Why should anybody believe anything this government says when it comes to the amounts being spent on health care in Ontario?

**Hon Mrs Johns:** Let me say that everyone in this House and everyone in Ontario knows that this government has put more money into health care than any other government, and we've put more money in every year for the last six years than any other government. Let me also remind everyone that as this government has increased funding on health care in Ontario, the federal government has reduced spending, from 18 cents out of every dollar of health care to 11 cents, back to 14 cents. I think the real criminal in this problem is the federal government that refuses to fund health care in Ontario.

1520

### HEALTH CARE FUNDING

**Mr Garfield Dunlop (Simcoe North):** My question is for the Minister of Intergovernmental Affairs. Minister, over the last few days we've seen the lengths to which the federal Liberals will go out of their way not to contribute their share to health care for Canadians, especially Ontarians. The Ontario Liberals also seem to think the increased funding from the federal government is unnecessary.

Here in Ontario we have been doing our part by contributing to increase the health care budget significantly since we were first elected in 1995. Isn't this enough funding? Why is our Premier making such an objection now? Maybe the minister can answer this: do you think Prime Minister Chrétien will ever take on the Premier's opportunity for a debate?

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** I'd like to thank my colleague from Simcoe North for the question. We've been very clear that health care is a priority of the Ontario government. We've increased the budget in health care, as my colleague the associate minister has said, year over year until it's now \$24 billion, using up almost 45% of Ontario's operating budget.

We are very concerned about the future of health care and we're concerned for this reason: as we look to the future, we see increased pressures, whether—

*Interjections.*

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** On a point of order, Mr Speaker: I cannot hear the member and I sit—

**The Speaker (Hon Gary Carr):** It's your own member from Simcoe North who's yelling, I say to the Deputy Premier. Why don't you turn around and speak to him? It was the member who asked the question who turned around and was yelling across, and wasn't even listening to the answer. I sat there and watched him. If you had turned around you could have seen it. It was your own member who started it up, I'm saying to the Deputy Premier. The member for Simcoe North asked a question and then proceeded to yell across.

The Minister of Intergovernmental Affairs has the floor.

**Hon Mrs Elliott:** As I was saying, as we look to the future in health care, we're very concerned. We see a growing population. We see an aging population. We see increased drug costs. We see challenges that are going to be very difficult to meet, and it's not just Ontario. We see this all across the country. These concerns are expressed by Premiers in all of the other provinces and territories.

On December 10, after two years, the federal government is going to deliver a budget. Our requests are very simple: we would like the federal government to listen to Ontarians and Canadians and make health care—

**The Speaker:** Order. The minister's time's up. Supplementary?

**Mr Dunlop:** I know that you attended the annual Premiers' conference in Victoria this past August with our Premier. At that conference, all of the Premiers were unanimous in asking the federal government to increase funding to health care. While we wait for Mr Romanow's report, not expected for another year, what can we do to continue to put pressure on the federal government so that they understand that excellent health care remains a priority for all Ontarians, and indeed for all Canadians?

**Hon Mrs Elliott:** It is a challenge. All of the Premiers across the country have spoken to the federal government and indicated that they speak with one voice asking for increased federal spending in health care. As my colleague said, it was 18 cents, it went down under Prime Minister Chrétien to 11, up to 14. We're saying now, on December 10, in the federal budget, increase the spending to 18 cents plus an escalator.

It's very simple if you think of it in this way: medicare was established under a 50-50 arrangement. Right now in Ontario we spend \$750 per second on health care. What does the federal government contribute? One hundred and seven dollars, not even close to a 50-50 arrangement.

My colleagues across the way in the Liberal caucus are asking the federal government to increase tax room for Ontario. That's code for increased taxes for health care. We're saying to the federal government, "Pay your fair share and respond to the priority of Ontarians, which is health care."

### HIGHWAY SAFETY

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is for the Minister of Transportation. My leader today raised questions about the government's responsi-

bility to make sure our food is safe. I want to talk to you about your responsibility to make sure our highways are safe. The Provincial Auditor today indicated he's quite concerned about this and drives with considerable more care than he used to.

One instance he quotes is that while our hard-working police forces—and today they are out in the RIDE program—are issuing summonses to people who are caught drinking and driving to suspend their licence, your ministry, the Harris government, bungles it. The auditor points out that there were at least 400 people in the last year whose licence the police suspended, but in seven days, because of your bungling, that suspension was rescinded. Can you possibly defend how you could let this happen—400 drunk drivers back on the road because you and your ministry bungled their licence suspension?

**Hon Brad Clark (Minister of Transportation):** I want to thank the honourable member for the question. To start off with, I'd like to thank the auditor for his thorough job on the audit itself, and I accept the statements he has made in the audit.

The honourable member is raising the point whereby, as the result of a flaw that the auditor found, 400 drunk drivers, in essence, did not get an administrative driver's licence suspension; they actually ended up having it rescinded. The process, after we investigated it, was that there is a seven-day notice to the registrar. The police send the notice directly to the registrar, and they have seven days under the law in order to do that. For whatever reason, 0.4% of the total administrative driver's licence suspensions did not get through. We've spoken to the Solicitor General's office about it, they have spoken to the police chiefs about it, and I'm happy to inform the House that the matter has been resolved and they will be meeting the seven-day timeline.

**Mr Phillips:** The problem is that the auditor is a relatively limited resource and he is finding these terrible problems that you and your government created.

I'll go on to another problem he points out. He points out that in your ministry there are 30,000 what are called medical fitness problems—people who have been signalled as perhaps being unfit to be on the road, some going back four years. These are people who potentially are extremely dangerous. They may suffer a heart attack at any moment. You've got 30,000 of them under your ministry.

I go back to a fundamental responsibility. My leader pointed out that you bungled safe food for the people of Ontario and now you've bungled safe highways for the people of Ontario. How could you possibly allow 30,000 potentially medically unfit people to continue to be driving on the roads of Ontario when you could have solved this problem by investing some resources—perhaps some of that \$2.2 billion that you're going to spend on corporate tax cuts—to help make sure our roads are safe for the people of Ontario?

**Hon Mr Clark:** Again, I thank the honourable member for the question.

First, I'd like to state that this is a value-for-dollar audit, and I happen to accept the recommendations as

very valuable for the ministry. What we do in the ministry now is resolve the issue so that we improve the bottom line for the taxpayers of Ontario. I'd like to report to the House that as of this moment, today, over 70% of all the recommendations the auditor made to my ministry have been completed. We have met those recommendations.

With reference to the 30,000 that the honourable member has mentioned, we have already reduced that by 70%, and we will reduce the rest of the backlog by spring of 2002. We are in fact currently recruiting 19 new driver improvement counsellors, which is a 190% increase, and we are resolving the matter for the safety of the roads in Ontario.

### TRAVEL DEFICIT

**Mr Joseph Spina (Brampton Centre):** My question is to the Minister of Tourism, Culture and Recreation. Minister, this morning the Globe and Mail stated that according to Statistics Canada, Canada's travel deficit grew in the third quarter. This number measures the difference between what Canadians spend abroad and what visitors spend here in Canada.

Those are national statistics. What is happening here in Ontario? What does that number mean for Ontario tourism?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** The member is right; there was an increase in the travel deficit, indicating that Canadians are spending more abroad on tourism than we're attracting to this province.

On the positive side, we had actually seen that the travel deficit in Canada in the second quarter was the smallest it had been in almost 20 years, since 1986. We're making progress. In fact, here in Ontario we had record growth: an over 8% increase, for example, across our border. Some parts of the province saw the best tourism they had seen in a generation.

Of course, the events of September 11 have changed tourism significantly, and I have no doubt that will impact on those third quarter numbers. That's why it's important for us as a government in Ontario to work with the industry, to call together travel leaders, as we have done, to get a plan to help build those numbers back up.

There are definitely some causes for optimism. The \$10 million brought forward by Minister Flaherty in the economic statement have been very helpful, in addition to the \$4 million we brought to bear. We're seeing an impact on the positive side.

1530

**Mr Spina:** Minister, we know that September 11 has had an unprecedented impact on business and tourism worldwide, but I was pleased to see the reports on American Thanksgiving that suggested consumer confidence is beginning to return. In fact, just last weekend, I was through your riding as I crossed the bridge at Fort Erie with my wife to visit friends in Jamestown, New York. It was clearly obvious that Americans seem to be out doing

their Christmas shopping with great vigour and attending events like the Macy's parade and generally getting on with their lives in spite of the doom and gloom that has occurred over the past three months.

Minister, have you seen any positive signs in Ontario that the tourism sector is in fact rebounding?

**Hon Mr Hudak:** I appreciate the ongoing interest by the member for Brampton Centre in the tourism industry. To answer his question, yes, we definitely are seeing some causes for optimism that the tourism industry is bouncing back. In fact, the \$4 million we invested in October, in addition to the \$10 million in Minister Flaherty's economic statement, is going to go a long way.

For example, Resorts Ontario has had some success with a new winter solstice program in Ottawa. In Toronto, the mix and match program, which blends hotel stays with theatre shows and restaurants, has seen 7,800 calls and 1,400 bookings from Ontario, upstate New York and Michigan in three weeks. That's more than the entire three-month period in the previous year. On the Niagara Falls getaway packages we've seen increases in call volumes on some days upwards of 177%, about 2,500 room nights. I'm pleased to say that at our border casinos and racetracks, the numbers today are actually above where they were this time last year. It's a good start.

#### GOVERNMENT STANDARDS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier and it concerns the standards of this government. Today the Provincial Auditor reported that for the first time since his appointment as auditor, when he asked for documents from the Ministry of Transportation in your government, not only was he refused the documents, but documents were actually altered. All of this is in breach of the law. Section 10 of the Audit Act of Ontario requires that documents shall be turned over to the auditor, that questions shall be answered.

What is unbelievable about this is that the person who was Minister of Transportation at the time is now a law enforcement officer in your government. He's now the Solicitor General.

Deputy Premier, what are the standards in your government? How can you allow these breaches of the law and then apparently promote the minister responsible? I'm asking for the resignation today, so that we can be sure the laws of Ontario will be observed. Will you do that?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The Provincial Auditor has made a substantial number of recommendations. He notes in his remarks today, and I quote, "Each of the ministries involved have made commitments to take corrective action based on our findings." That, of course, is an appropriate response to the recommendations made by our Provincial Auditor after his review.

With respect to the specific item you mentioned in the Ministry of Transportation, we've already heard from the

minister this afternoon in question period about the actions the current minister took in order to correct the concern that had been raised by the auditor. After meeting with the auditor in June, the minister directed staff to develop a code of conduct to be followed when dealing with OPA staff, and this has been done. The code requires staff to fully co-operate with the Office of the Provincial Auditor to disclose requested information and permit confidential interviews of staff, if requested.

**Mr Hampton:** This is about the standards of your government. This is the Provincial Auditor saying, "For the first time since being appointed Provincial Auditor, I have to report..." This doesn't sound like a very happy occasion for the auditor, that when he asked for documents pursuant to an audit, he was first denied documents and then his staff was given documents that had been altered.

How are the people of Ontario to trust your government when you don't follow the law, when you alter documents and delete documents in breach of the law, and the minister who was responsible has now seemingly been promoted into a law enforcement position and the deputy minister who was responsible is now Deputy Minister of the Environment, an even more critical appointment?

The question is, what are the standards for your government? Are people who are supposed to be accountable in your government allowed to break the law, allowed to alter government documents, allowed to delete government documents, allowed to frustrate the work of the Provincial Auditor? Are those the standards of your government?

**Hon Mr Flaherty:** One of the important roles of the Provincial Auditor is to point out where improvements ought to be made. Indeed he did that in the case of the Ministry of Transportation. The minister has already indicated this afternoon that he has created a code of conduct within that ministry. I'm pleased to learn—I understand Management Board intends to implement this code of conduct province-wide, which should assist substantially in the relationships between the ministries and the Office of the Provincial Auditor.

#### HEARINGS ON ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is for the Minister of Citizenship. I feel sorry for the spot that you're in, having to force this bill through. Very clearly it is being done for election purposes so that you can appear to have kept your commitment.

I'm going to suggest to you that you look for support within your own caucus to stop this bill. You need to say to the Minister of Labour, "This bill will not get one more person a job." You need to say to the Minister of Housing, "You've got to help me. This bill won't make one accessible housing unit." You need to talk to the Minister of Health and say, "This bill will not help one person with a disability get medical services." You need

to say to the minister of travel, who is so pleased about the numbers, that this bill still will not allow visitors to our province to have access to hotel rooms; for tourists in theatres, nothing.

Minister, you don't want to listen to us. That's very clear with the time allocation on the bill. You need to listen to the disabled community. This bill is being rammed through. Will you extend the public hearings so that 1.6 million Ontarians have a legitimate mechanism to speak to you and share their challenges?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** On the theme of "Will you...?" will you tell the people of Ontario what the Liberal Party and what a Liberal government would do for disabled persons in this province? We've heard the yapping and the harping—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. The member for Windsor West and the member for Toronto Centre-Rosedale, please come to order.

**Hon Mr Jackson:** I would hope the member from Windsor goes to the public hearings in Windsor. I understand that there is a full day of discussion and input from the disabilities community in Windsor, her own backyard.

They have yet to hear where Dalton McGuinty stands on the disabled. We know—it is a public record—that the Liberals failed to make one commitment to the disabilities community in the last election. In the previous election to that, they failed to make one commitment to the disabled community in this province. It's time you came clean and told Ontarians with disabilities where you stand.

1540

**Mr Parsons:** If you want Dalton McGuinty and the Ontario Liberals to do your job, that's fine. We have in the past and we will continue to do it. We have put on record that we will, first of all, hold full public consultations, which you have not, and we will adhere to the 11 recommendations which were supported by your party and not followed.

Minister, there is more to Ontario than Ottawa, Windsor, Toronto, Thunder Bay and Sudbury. For a person requiring mobility transportation to get to the hearings, it is virtually impossible in the time frame that you have created. For people needing assistance in putting together a brief, for people needing to get there and look you in the eye, that is not possible with these rammed-through meetings.

If you genuinely want to talk to people whose very quality of life rests in your hands, you need to extend the hearings and give them a real, genuine opportunity to meet and give you suggestions on what should be done. We've done it, you've seen it and you need to listen to them. Will you extend your hearings?

**Hon Mr Jackson:** There has been a tremendous amount of consultation. Not only has our government done extensive consultations throughout the province; his own caucus, the Liberal party, conducted hearings. We

have reams of paper, tonnes of information, we've listened out there.

What this government has done is make a commitment to bring in the first and most comprehensive disabilities legislation anywhere in Canada. That's where we stand. What we're still waiting to hear from you is, when will you stop talking process and start talking about people? When are you going to stop promising the earth, the moon and the stars and settle down and start committing to the disabled community in this province exactly what a Liberal government would provide? Do you know what? They haven't heard a single commitment from the Ontario Liberal Party, not a single commitment. It's about time you came clean with the citizens of Ontario and told them what you would do.

#### PREMIER'S RESEARCH EXCELLENCE AWARDS

**Mr Garry J. Guzzo (Ottawa West-Nepean):** I have a question about eastern Ontario, and it's for the Minister of Energy, Science and Technology. It's with regard to the Premier's Research Excellence Awards, which were introduced in the budget of 1998 and enhanced in the budget of 2000.

In 1999, I had the pleasure of presenting nine of these awards to brilliant, worthy recipients. One such award went to Dr Susannah Scott at the University of Ottawa. On that day I had occasion to introduce Dr Scott to my chief of staff, and I'm proud to tell you that she's now his wife and expecting their second child. I mention that just to show my contribution to the reversal of the brain drain—very significant that the American universities are not above.

The 2001 awards were made in Ottawa last Tuesday, and I would ask the Minister if he might comment on the excellence of the work done by the recipients of those awards.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** I thank the honourable member for the honour of being in eastern Ontario last Tuesday and presenting 27 of Ontario's brightest young researchers and scientists with Premier's Research Excellence awards.

Each award recipient receives \$150,000, \$100,000 of that from the government of Ontario and \$50,000 from the respective university's health science centre or research institute, and in many cases they're helped along by the private sector. These are some of the largest scientific awards of their kind in Canada. We've seen some tremendous research being carried out in the area of obesity, something I'll probably benefit from myself some day; mental health; and river flows, so you can properly place hydroelectric dams in an environmentally friendly way. A whole range of disciplines is represented in the 27 brilliant young people who received those awards.

**Mr Guzzo:** I'd like the Minister to zero in on the recipients from eastern Ontario. No one has to tell the

members of this House that the pastures are much greener in eastern Ontario than elsewhere. One only needs to look at the quality of the members from eastern Ontario on both sides of the House. Indeed, in my party, 80% of the members are cabinet material. Unfortunately, the other 20% bring down the average.

Of the 27 people honoured last week—and we're proud of all 27 of them—I'm most heartened by the work of two, particularly Dr Robin Parks, in genetic diseases at the University of Ottawa, and Dr Chris Moyes of Queen's University, who works in the area of mechanisms to detect changes in energy demand—and on Thursdays around here, we know about changes in energy demand. Mr Minister, I wonder if you might zero in on the work of those two individuals.

**Hon Mr Wilson:** Clearly the individuals the honourable member has mentioned are world leaders in their particular areas of research. Dr Robin Parks, for example, of the University of Ottawa, is investigating new ways of using harmless forms of viruses to deliver therapeutic genes into people suffering from genetic diseases. Dr Parks's research may help scientists find cures for debilitating diseases such as Duchenne muscular dystrophy and cystic fibrosis. Dr Christopher Moyes of Queen's University studies the mechanisms by which plant cells detect changes in energy demand and mount adaptive responses. Dr Moyes's research may lead to better treatment for human cardiovascular and neuromuscular diseases.

All of the 27 researches have been recognized by their peers to be world leaders. They will help reverse the brain drain and make sure there are high-tech jobs for the people of eastern Ontario. All these researchers are potential Nobel Prize laureates of the future.

#### MUNICIPAL WASTE DISPOSAL

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** In the absence of the Minister of the Environment and the Minister of Municipal Affairs and several others, my question is for the Deputy Premier.

*Interjections.*

**The Speaker (Hon Gary Carr):** The member will know that when you start that, you're going to have the other side yelling.

**Mr Sorbara:** I tell the Deputy Premier that a couple of nights ago, representatives from the city of Toronto met with the community of Maple to begin to discuss the specific details for the closing of the Keele Valley landfill site. The community was very encouraged with the progress the city of Toronto is making toward that closure.

A couple of days ago, or perhaps it was yesterday, the Minister of Municipal Affairs undertook, by way of an announcement, that the government would solve the city of Toronto's waste disposal problems by way of the empowerment of a smart council, as he refers to it in the press release. I'm not sure if the Minister of the Envi-

ronment knows anything about this, but I'm sure the Deputy Premier does.

I ask the Deputy Premier this: will he undertake right now in this House to make absolutely clear and certain that no matter what the Minister of Municipal Affairs undertakes, under no circumstances will the Premier or the Minister of Municipal Affairs or the Minister of the Environment or indeed the Minister of Finance go back on their ironclad commitment to ensure that Keele Valley is closed at the end of December 2002, in accordance with their word and their law?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Our government keeps its commitments.

**Mr Sorbara:** I'm delighted to hear that and I will take that as an absolute affirmative. I say to the Deputy Premier that the announcement by the Minister of Municipal Affairs certainly will have taken the Minister of the Environment by surprise. Will the Deputy Premier undertake to present to this House and to the public the terms of reference the government is going to apply to its determination to undertake the identification of solutions for waste disposal, not only for the city of Toronto but for the greater Toronto area?

This is a serious issue. The city, in about a week, is prepared to renew a contract with the state of Michigan for a five-year contract for waste disposal. What exactly are the terms of reference the government is intending to apply to the smart council that now will be seized with the problem of waste disposal in the greater Toronto area?

**Hon Mr Flaherty:** I thank the member opposite from—sorry, he's not here very often. The member from Vaughan-King-Aurora, Mr Sorbara, is here this afternoon and I thank him for the question.

A number of municipal leaders, of course, have raised concerns about the transferring of garbage from the city of Toronto to Michigan, particularly given the heavy truck traffic that will create on Highway 401 westbound through Mississauga, and then on through Halton and through southwestern Ontario to Michigan. That concern has been expressed by Mayor McCallion of Mississauga and Mayor DeCicco of London as well on behalf of the people who live in their communities. It is the city of Toronto that is proposing this way of disposing of waste and it is for the city of Toronto to justify its proposed waste management concepts and ideas. I think all of us would think that this is a matter of some concern, not only to the city of Toronto but to the citizens of Ontario, certainly the citizens of Mississauga and all of those living on the route down 401 that this volume of traffic would be—

**The Speaker:** Order. I'm afraid the minister's time is up.

1550

#### CORRECTIONAL SERVICES

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Correctional Services. In the last

couple of days I've read a couple of articles about the way the federal Liberals are spending money, and I must say that it was totally amazing to find out that in one article the federal Liberal government and Correctional Services Canada is spending \$16,000 on a survey of inmates to ask them what they thought of a proposal to introduce new uniforms for correctional officers.

*Interjections.*

**Mrs Molinari:** Yes, I agree that it's quite a way to spend money.

Minister, what would your response be as Minister of Correctional Services in the province of Ontario? Can you assure the taxpayers of Ontario and my taxpayers of Thornhill that in Ontario this sort of thing does not happen?

**Hon Rob Sampson (Minister of Correctional Services):** Before I go ahead, I want to say to the members opposite that I do appreciate the support of the member from Sudbury for his resolutions and his support over the last couple of days and actually over the last week on the issue around Clinton Suzack. I do want to thank the member for his continued effort. I know it's an issue at his own riding. It's certainly an issue we have been standing for in this province as it relates to dealing with individuals who are in both provincial and federal institutions.

To the member's question, I would say many jurisdictions around the globe are trying to reform corrections. We are not any different from that because we have indeed been trying to reform the operations of corrections in this province. Of course, there is a contrast to how those have been doing it, and you have indeed identified one of the contrasts. Theirs is to spend money on that type of analysis; ours is to focus on results.

**Mrs Molinari:** Thank you for the response, Minister. It's reassuring to know that, unlike the federal Liberal government, our government, the Mike Harris government, puts the needs of victims before those of criminals and has also shown accountability for their actions by investing taxpayers' dollars to make our communities in Ontario safer to work and live in.

The second article talks about a series of photographs of intoxicated prisoners taken by guards in a federal jail in Vancouver. In the article, a spokesperson from Correctional Service Canada confirms that these pictures were discovered recently pasted into a hardbound journal and kept at the jail. Apparently, these pictures depict prisoners who are drunk or high on drugs.

Minister, can you tell me whether you think this is appropriate and what our government is doing—

**The Speaker (Hon Gary Carr):** Just before the minister answers, I'm going to go on record. I let that question go. You're not going to be able to get around again by asking questions like that about the federal government, going through and asking it like that. I allowed a little leeway because I tend to give some leeway on first questions, but you can't stand up and ask federal issue

questions and then say, "What do you feel about it?" That's a total waste of time and I won't allow it again.

I say to the members or anybody who's putting those questions together, it needs to be within the minister's purview. I gave you a lot of latitude. I would ask all members that they ask questions to the minister, and don't try to couch it in that way and try to get around the rules of this House.

Minister of Correctional Services.

**Hon Mr Sampson:** Thank you, Speaker, for that clarification. The members opposite were trying to goad me to say that there is not a drug problem in provincial jails. There is a drug problem in provincial jails and there has been for some time. Under the jurisdictions—

**Mrs Sandra Papatello (Windsor West):** The minister must be bored. The auditor's report—

**Hon Mr Sampson:** I say to the member from Windsor, under the jurisdictions of both Liberal and NDP governments there has been a problem with drug usage in provincial institutions.

**The Speaker:** Order. We have less than a minute. It's the end of the week. Can we just answer the question, please?

**Hon Mr Sampson:** I say to the member from Windsor, we're prepared to address it. We're prepared to say that's the fact, unfortunately, and we're prepared to address it. How do we do that? We're going to do it very simply by starting off with testing those individuals who are in our institutions to see whether they are on drugs and to provide stiff penalties within the institutions for those who continue to abuse drugs when they shouldn't. I say to the member opposite, at least we're doing something about it.

## BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for the week of December 3.

On Monday afternoon we will continue debate on Bill 122.

On Monday evening we will continue debate on Bill 130.

On Tuesday afternoon we will continue debate on Bill 127.

Tuesday evening's business is still to be determined.

On Wednesday afternoon we will continue debate on Bill 130.

Wednesday evening's business is still to be determined.

Thursday morning, during private members' business, we will discuss ballot item number 37, standing in the name of Mr Colle, and ballot item number 38, standing in the name of Mr McMeekin.

Thursday afternoon's business is still to be determined.

## PETITIONS

### HEALTH CARE FUNDING

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario:

"Whereas many residents of St Catharines and other communities in Ontario are unable to find a family doctor as a result of the growing doctor shortage we have experienced during the tenure of the Harris government;

"Whereas cancer patients in Ontario requiring radiation treatment face unacceptable delays and are often forced to travel to the United States to receive medical attention;

"Whereas many prescription drugs which would help patients with a variety of medical conditions such as macular degeneration, multiple sclerosis, arthritis, diabetes and heart failure are not covered by OHIP;

"Whereas many assistive devices that could aid patients in Ontario are not eligible for funding from the Ontario Ministry of Health;

"Whereas community care access centres have inadequate funding to carry out their responsibilities for long-term and home care;

"Whereas the Harris government has now spent over \$240 million on blatantly partisan government advertising in the form of glossy brochures and other items, such as television and radio ads;

"We, the undersigned, call upon the Conservative government of Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising and to invest this money into health care in the province of Ontario."

I affix my signature, as I know you would want to, Madam Speaker. I agree with this petition and that it makes reference to this particular blurb.

### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly and it reads as follows:

"Whereas an internal government document states the Conservative government is considering cutting the regulated child care budget by at least 40%;

"Whereas the same internal document states the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Whereas Fraser Mustard and Margaret McCain identified regulated child care and family resource programs as integral to early childhood development;

"Whereas the Conservative government will receive \$844 million from the federal government over five years for early childhood development;

"Whereas Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Whereas other provinces are implementing innovative, affordable, and accessible child care programs such as Quebec's \$5-a-day child care program; and

"Whereas the need for affordable, accessible, regulated child care and family resources continues to grow in Ontario,

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government protect the current regulated child care and family resource program budgets and invest significant federal Early Years funding in regulated child care and family resource programs. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care and in continued funding for family resource programs."

This comes from my friends at York University Co-operative Daycare Centre. I agree with the petitioners. I have signed my name to it.

1600

## ORDERS OF THE DAY

### COMMUNITY CARE ACCESS CORPORATIONS ACT, 2001

#### LOI DE 2001 SUR LES SOCIÉTÉS D'ACCÈS AUX SOINS COMMUNAUTAIRES

Resuming the debate adjourned on November 28, 2001, on the motion for second reading of Bill 130, An Act respecting community care access corporations / Projet de loi 130, Loi concernant les sociétés d'accès aux soins communautaires.

**Ms Shelley Martel (Nickel Belt):** I'd like to start off this debate and pick up where I left off last evening. Where I left off last evening was having relayed to the members of the House the service reductions that had been raised very publicly by the Manitoulin-Sudbury Community Care Access Centre in a press conference that was held on May 23. There, the chair of the board, Bob Fera, made it very clear that in order to reduce the deficit by \$1.8 million, the CCAC would have to take a number of dramatic actions with respect to cutting services to people in our community.

I want to go through the implications that were also announced by the chair of the board at that time. They were as follows:

Once discharged from the CCAC homemaking service, many people, unable to do their own homemaking, will have to buy from other agencies the services they used to receive from the community care access centre at a very direct charge to them.

Second, some people who cannot afford to pay and who are without family or friends able to help them will have to go without homemaking services. Their living conditions will deteriorate over time, causing some to have to move into long-term-care facilities.

Third, after discharge from the CCAC, many people will have to pay for professional health services from the private sector or may have to travel to obtain service from the public system, from, for example, hospital outpatient departments. They will have to wait a long time to obtain such services.

Fourth, with the community care access centre no longer providing them with certain medical supplies at no charge, many people will have to buy these supplies from other agencies.

Fifth, more people will incur medical equipment rental costs.

Finally, some people may go without health services, supplies and equipment because they cannot afford to pay the additional costs, including travel costs, and their health will be affected.

It's interesting to note that the chair of the board was also very direct with the members of the media who were there that day in terms of saying whose fault it was that this particular community care access centre had to implement the dramatic cuts that they had to at that time. I want to quote from some of the comments that Mr Fera, chair of the board, made at the time. I am assuming there are some minister's staff here who are writing down some of these names, because these are the people who are going to be purged through Bill 130—so that's Bob Fera, chair of the Manitoulin-Sudbury Community Care Access Centre. He said that this community care access centre was left with a projected deficit of \$1.8 million because of the decision by this government to freeze budgets.

In this case, it's a cut to the budget, because this is one of the community care access centres that got some money at last year's fiscal year-end to deal with a deficit. So they have now received a cut in their funding. Their deficit was one of the lowest among Ontario's 43 CCACs. Over \$1.6 million of the \$1.8-million deficit is attributed directly to higher prices for client services that the Manitoulin-Sudbury CCAC purchases from other agencies, over which we have absolutely no control.

I raise that point because last June the government, particularly Minister Clement, was very quick to point the finger at CCACs and say there were deficits in CCACs because of the incompetence either of the executive director or the boards of directors. He was very quick to point his finger and lay the blame with individual CCACs.

Clearly, this CCAC has a deficit, \$1.6 million out of \$1.8 million, which is directly attributed to rising costs from the agencies it purchased services from and over which it has no control in terms of those higher costs. It has nothing to do with them being incompetent in terms of spending, nothing at all. For the record, this CCAC did receive a 2% increase in its budget, like all others did last

year, but over the past three years, while 43 CCACs have received a total funding increase of about \$272 million, our CCAC has received \$487,000 of that, less than one fifth of 1%. So again, it would be very false or incorrect of the government to argue that this CCAC has improperly spent its budget. It got less than one fifth of 1% of the increase that went to all CCACs. Clearly, volume and need are far outstripping the budget of the Manitoulin-Sudbury CCAC.

Now, because they have been told by their legal advisers that the government's Bill 46 required that agencies could not run a deficit and that directors would be personally liable if a deficit was run, the board of this CCAC made a decision that they would have to cut services to cut the deficit. The chair said the following: "Although we deeply regret having to implement these service changes, our deficit reduction plan, I repeat loudly and clearly, is necessary due to the government's imminent policy concerning deficits and their continued inadequate funding for home care. In the face of such policies, our agency has no choice but to implement service reductions which we know will have a profound impact on our clients and the communities we serve. For these service reductions, our board deeply apologizes.

"We are a volunteer board elected to serve the home care needs of our communities. We will not quietly see them being eroded or eliminated by a government who puts fiscal impossibilities before serving the legitimate health care needs of the community, which they paid for through their taxes over the years and now in their time of need will be denied because of changes in government policy. It is just not right. Indeed, in my opinion, it is immoral."

The chair was very clear, very public in his criticism. I suspect his name is one of the names on the list the government has of board members who will be replaced very quickly once Bill 130 is passed.

Any number of other CCACs also have had to cut services to deal with the government's cut to home care this year. In Peterborough, for example, \$2.6 million must be reduced from client services. The reduction plan there calls for a 13.5% reduction in nursing services. The reduction in personal support services will be in the order of 23.8%. Therapy services will be reduced by up to 50% of their previous levels.

In Simcoe county, here are the impacts with respect to the fact that the government is not funding the deficits for CCACs. Children's growth and development clinics, children's screening clinics and the acquired brain injury program are being discontinued. Patients who are otherwise well and mobile within the community, with or without assistance, will not receive services. These patients will have to return to hospitals, emergency departments, an outpatient clinic, after-hours clinic or a doctor's office, which of course costs the health care system more in the long run. Housekeeping services are not being provided.

Here are the impacts at the Near North Community Care Access Centre: There will be no personal

support/home support services provided to new clients until the capped volume target is reached. Preventive visits/monitoring of vital signs and provision of vitamin B12 injections will be discontinued. All patients who are ambulatory or able to access outpatient ACU physicians' offices and their private services will be redirected to those sources of services, again costing health care more than it would to provide home care and nursing services to these clients.

In Ottawa-Carleton, here are the impacts: The CCAC will now only be able to admit 22 clients per month for personal support/homemaking services. On average, the CCAC receives over 100 requests per month for these services. Visiting nursing will see a 40% reduction in new admissions per month and shift nursing will be reduced by 23%. Clients must return to emergency, clinics or family physicians for treatment, again an increased cost to the health care system.

I've also got the impacts for Halton and Hastings and Prince Edward counties, again, huge cuts: homemaking services, nursing services, physiotherapy services. The CCAC is having to tell people to go to their family doctor, to the emergency ward or somewhere else for services they need, which will cost the system more in the long run.

It was because of these cuts that many CCAC boards of directors in particular came forward and in a very public way condemned this government for its current underfunding of home care. It is directly as a result of the public criticism made by many community care access centres across this province that the government is moving in the direction it is today, which is to use Bill 130 as a mechanism to gain control over CCACs, to muzzle the criticism and to guarantee that whatever goes out to the public is what the minister authorizes to go out as information.

That's what this bill is all about. It goes directly back to the courage of many CCAC boards of directors who went public and said, "We have to make these cuts, but these cuts are the direct result of the current underfunding of community care by this government."

1610

Last night in this House, the minister referred to this report by PricewaterhouseCoopers and said essentially, "If you oppose this bill, then you don't want to see the important recommendations in this report implemented." You know what? Nothing could be further from the truth, because there are some very important recommendations in this report that was finally released this June. In fact, there are many important recommendations that call on this government to finally do a number of things it should have been doing if it wanted to really support home care in Ontario. It's probably worthwhile just mentioning a few of the things that PricewaterhouseCoopers says this government should do as part of this report.

Recommendation 2: "The Ministry" of Health "needs to revisit and clarify the scope of mandatory functions to be provided by CCACs in order to ensure that all residents of the province have equitable access to the same range of core services and programs."

Page 146, recommendation 5: "The ministry should ... implement a planning process to forecast future home care service volumes" in Ontario.

Page 148, recommendation 9: "The ministry," in conjunction with the community care access association "and CCACs need to identify and implement strategies to build on best practices and improve province-wide consistency for key components of the contract management process."

Page 152, recommendations 12, 13 and 14:

"12. The ministry should make provisions for the Long-Term Care Act to recognize CCACs.

"13. The ministry needs to take immediate action to complete discussions with CCACs on the legal text of the service agreement and ensure that all CCAC service agreements are signed.

"14: The ministry needs to provide improved direction to CCACs with respect to their accountability requirements."

I support the implementation of the recommendations in this report, because many of them finally say very clearly that the ministry has an obligation itself to do a number of things to ensure that the direction of home care is clear, to ensure that there are good best practices in place, that training is in place etc.

But where I differ with the minister is that nothing that was said in this report by PricewaterhouseCoopers would lead to the government having to take some of the actions they are taking in order to get it implemented. In fact, the consultants did not say the minister now will have to appoint the boards of directors to get the recommendations in this report implemented. PricewaterhouseCoopers did not say that to get this document implemented, the minister should appoint all the executive directors of community care access centres. In order to incorporate or implement the recommendations in this report, the consultants also did not say the minister would have to have direct control over all information that is now distributed by CCACs to the public.

So there's nothing in this report that cannot be implemented without the government taking the actions it is to assume direct control over CCACs. I repeat, the only reason the government is taking that action, which is a hostile takeover of CCACs, is because they want to muzzle, minimize, silence as best as possible the criticism that has come from many CCACs as a result of this government's underfunding of home care.

What's also interesting is that while last night the minister talked about this report and suggested that if you didn't support Bill 130, you didn't support the recommendations, a notion I've just tried to dispel, it's interesting that the minister has never once focused on the recommendations in this report that clearly show that the government has to invest in home care if these recommendations are going to be implemented properly.

I haven't heard the minister once say that the independent consultants who did this work for this ministry also very clearly said there would have to be a continued, increased investment in home care to ensure

that home care could work in this province. I think it's worthwhile for me to take just a moment to point out those very important recommendations.

Recommendation 4 of the PricewaterhouseCoopers report says the following: "The ministry should continue to move forward with its commitment to invest in CCACs as indicated in the ministry's 2000-01 business plan and ensure consistent funding approaches across the province."

If you go back to the minister's business plan with respect to what was said, it says very clearly, and I'm quoting: "This is consistent with the ministry's business plan for 2000-01 which states, 'To provide better care for patients and improve access to services, we will expand and enhance our community-based health care, home care and psychiatric services.'" Indeed, the business plan from the ministry was very clear. We will expand, enhance—that means increase—the budget in order for that to happen. It didn't say freeze the budget, as this government did. It didn't say cut the budgets, because that's what happened this year in May. No, the consultant's report was very clear that the ministry needed to follow the business plan which said there would be an increase in home care in order to ensure that there would be adequate levels of funding for CCACs across the province.

That wasn't the only recommendation with respect to increased funding. If you look at recommendation 6, PricewaterhouseCoopers says the following: "The ministry, CCACs, service providers, provincial associations and educational institutions should work collaboratively to ensure that a planning process is implemented to make sure that the work force is in place to deliver the volume and type of home care services required in the future." The report showed clearly that the shortages of human resources in home care agencies is a barrier to responding to client needs. They also made it very clear that in order to deal with this human resources problem—because many people in home care are going to the nursing sector because they can make more money—the government was going to have to invest more in staffing in home care to keep those health care providers in place serving clients' needs. That requires an investment—not a freeze, not a cut—by this government to ensure that would happen.

Recommendation 20: "The ministry should provide timely approval of CCAC service plans and expansion/enhancement budgets."

So in any number of places in this report, which the minister failed to mention last night, conveniently so, the people who did this report, PricewaterhouseCoopers, made it absolutely clear that if you were going to implement these recommendations, you also had to increase enhanced funding for home care and we haven't heard the government talk about that. Indeed, we've heard the government try to say it isn't about money. Yes, it is about money and that's not just me, Shelley Martel, NDP critic saying that. That's what your own consultants said in a report that was released this June.

I think it's important that the consultants also said the following, because there has been a tendency of some members, and certainly Minister Clement, to go at some of the boards of directors, go at some of the staff that have been providing service, as he did in June: "Given that a strong home care sector is critical to the future sustainability of the health care system, it is recommended that strategies be implemented to strengthen the role of CCACs and position them to meet future growing demands."

They also said, among most of the people whom they talked to, there was wide acceptance, wide approval, of the services that were being delivered and it was critical that we continue to support CCACs in their ongoing role to do that—not take them over, not silence them; support them in their ongoing role to deliver services to the clients who they are supposed to represent in their community.

What has been the government's response with respect to this report and to the criticism that came from many CCACs with respect to the cuts? Well, we have a bill before us that at the end of the day does one thing: it has the government take over control of CCACs so that the government can control who's on the boards, who the executive directors are and what information is released to the public.

I'm just going to go through a couple of the sections where this becomes very clear. Under the bill, for example, community care access corporations will be exempt from the Corporations Act. It's important to just have a quick look at what happens now, because CCACs are under the Corporations Act. As a result of being under the Corporations Act, they have to do a number of things. They have corporate memberships: people can apply, they buy a membership. They have to have an annual general meeting. At the annual general meeting they have to duly elect a board from the people who are there voting. That board, as well, then has an obligation to vote for a chair and a vice-chair. People who come to that annual general meeting have a chance to vote on bylaws which are being passed by the community care access centre, and they receive a number of other things; in the case of our CCAC, a look at what next year's planning is, what the objectives are of the corporation. People have a chance to vote on all of these things.

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It's interesting. One of the changes the government is making is to exempt the new community care access corporations from the Corporations Act. There's no further obligation to have a membership. Indeed, the board of these new corporations will be the membership. There's no obligation to hold a membership meeting, an annual general meeting; there's nothing in the legislation that provides for that either. There is no more obligation that people who are on the board are duly elected by the community they are supposed to represent. It's clear in the bill that that will be done by the Lieutenant Governor, by the government.

So many of the provisions that are in place now for a board to be democratically elected at the local level and

for people who are interested in this matter to become members and have their say about how that organization is going to be run are completely wiped out under this bill. In fact, under this bill the board is the corporation. The six or seven people whom the Lieutenant Governor appoints run the whole show. There's no obligation to hold even one annual general meeting. There's no obligation with respect to, particularly in this bill, the community group that's going to be established. There's no obligation; there's nothing in the legislation that talks about that relationship or that there will be meetings between that group, and those meetings will be public—nothing like that. So it's very clear that the people the government selects to be the directors will run the whole show with no input coming from the public, not only on an annual basis, but on an ongoing basis.

Secondly, under subsection 7(1), it's very clear that the board of directors will be appointed by the Lieutenant Governor in Council. Again, I'm completely opposed to that, but there is also nothing in this legislation that at least says that those people will somehow be representative of the community they are designed to represent. Under the Ministry of Health Act, at least under that particular bill, the membership of the DHC has to reflect the diversity of the population in that geographic area in terms of gender, in terms of age, disability, place of residence, cultural, linguistic, ethnic, spiritual factors etc. Nothing like this exists in Bill 130. We have no idea who is going to be appointed; we only know that the government is going to make the appointments. There's no guarantee that the people who are appointed will represent either the ethnic, linguistic or cultural background, the age, gender of the community for the CCAC that they're going to direct—nothing like that exists. I heard the minister say last night, "Oh, yes, that will happen." The fact of the matter is, there's nothing like that in the legislation to guarantee any of that.

If you look at subsections 10(1), 10(2) and 10(4), the government now has the ability to appoint a person to be the executive director. It's the government that will set the salary and any other remuneration benefits, including rights to severance, termination, retirement and superannuation. It's the government as well that will determine when that appointment and indeed when that employment will end.

This is really unprecedented in the health care sector, where the government now steps in and appoints not only the board but the executive director. The executive director is the person who is going to be running the day-to-day operations of the CCAC. So now the government, in essence, through that agent, will be running the day-to-day operations of the CCAC.

I am opposed to that because that executive director then becomes beholden to the government, not to the local board, not to the local community. If his or her employment is dependent upon what he does or she does for their political masters, that's what they're going to do: what their political masters tell them to do. That might not necessarily be what's best for the community;

that might not necessarily be best for home care and for the clients we're supposed to be delivering care to. It is very intrusive, and frankly, as I said earlier, it's unprecedented in terms of the government reaching its long arm into CCACs and taking over an employment position which currently is a function of those boards. Again, that person, because their employment depends on it, is going to be beholden to the government and whatever the government says. I don't think in many cases that may be the best thing for the local community or the delivery of home care in those communities.

This bill as well, under section 11, says under "Minister's directions" that the minister can issue directions on matters relating to the exercise of these corporations, that each community care access corporation has to comply with the directions, and most importantly, that the Regulations Act does not apply with respect to the directions.

If you go to the Regulations Act, it says the following: "A regulation means a regulation, rule, order or bylaw of a legislative nature made or approved under an act of the Legislature by the Lieutenant Governor in Council, a minister of the crown, an official of the government or a board or commission, all the members of which are appointed by the Lieutenant Governor."

Clearly this refers to a minister in this circumstance. I think clearly "rule" or "order" could also apply to "directions," and under the current Regulations Act, all of those regulations—"directions"—have to be published in the Ontario Gazette, so they become public. What the government has done by exempting these corporations and the directions of the minister from the Regulations Act is to ensure that whatever the government directs CCACs to do as policy issues now will not become public matters.

It's very clear that the government is doing whatever it can to ensure that information doesn't get out to the public with respect to what is happening in community care access centres. Subsection 15(1) includes a list of things the corporation can't do before it's designated without the minister's approval. One of those things includes determining who will get a management position in community care access centres. Now you have the government appointing the board, you have the government appointing the executive director and, under this section, the ability of the government as well to approve people who are being appointed to managerial positions, like case managers.

Queen's Park doesn't have the best idea about who would make the best case manager in the Manitoulin-Sudbury CCAC. It's wrong for the government, through legislation, to try and impose that type of control on what should be a community-based, community-run health care organization.

In subsection 16(4), for example, the minister may require a corporation "to give the minister information, documents or records that are in the custody or control of the corporation." The minister spoke to this last night and said it's not her intention. In fact, under the Long-Term Care Act, confidential documents about patients or about

employees can't be released. I point out to the minister today that there is nothing in Bill 130 that says the provisions of the Long-Term Care Act, which she referenced last night, supersede anything in Bill 130. If it is her intention that the Long-Term Care Act should prevail, then this act should say that. It doesn't.

Finally, with respect to section 18—this refers to information for the public—the minister will make an annual report of the corporation available to the public—and this is the important point—“and may make available such other information about each corporation as he or she considers to be necessary in the public interest.”

You know, I suspect that it's not going to be, in the minister's opinion, in the public interest to disclose the deficits of individual CCACs. I suspect that the minister is going to decide that it's not going to be in the public interest, for example, to find out what service cuts will come if CCACs have a deficit and in order to deal with that deficit they have to cut services. I suspect it's not going to be in the public interest for the minister to disclose publicly through the CCAC what the waiting list might be for home care, for homemaking or for physiotherapy, or if there's a waiting period when you're discharged from hospital to get services.

What's going to happen under this provision is, outside of the annual report, which in most CCACs is already made public—it is in mine; I suspect it is in the majority of CCACs. With the exception of that annual report, the minister will do whatever is necessary to ensure that important information, which should be accessible to the public, will no longer be accessible to the public. Because that's been part of the problem for the government, hasn't it? When it became clear that CCACs were going to have deficits because this government was underfunding CCACs this year, it became clear that many of them would have to make service cuts. Many of them were very public and very vocal about those service cuts and directing their criticism for the same back to the government.

If the minister has control over what's distributed, it's not going to be very hard any more to silence some of that criticism, is it? When the government, through the minister, can say, “You're not going to give the MPPs information about service reductions or waiting lists or deficits or how many people are waiting for service; and you're not going to release that to the media; and you're not going to release that to the public, no matter who asks for it, because it's not in the public interest,” it's going to be very easy for the government to really put a lid on the criticism that this government has been facing over the last number of months because of its cuts. Again, I say that's really what the bill is all about in the first place. The bill is all about the government's taking over control of CCACs by appointing the boards, by appointing the executive directors, by even going so far as to have to approve people in management positions within the organization and by determining what information can be released publicly. If you can do all those things, you sure can limit any negative criticism coming out of some of

those organizations. Frankly, that's really what the bill is all about.

#### 1630

It's important to deal with some of the responses to the bill. It's not just opposition members who are being critical of the bill in this way, and it's not just opposition members who have pointed out that what this represents is really a hostile takeover of many of these organizations. Let me go through some of the comments that have been made by people who have had a chance to look at this. It is interesting.

This is an article from November 19, 2001. The president of the community care access centre in Toronto says the following: “‘We think it's rather draconian. We were totally unprepared for this,’ said Doug Hamilton, president of the Toronto Community Care Access Centre at a news conference on Friday. ‘It silences the voice of the community.’” Of course it does. That's exactly what it was intended to do.

The board of directors of the community care access centre in Waterloo sent this media advisory out on November 9. I'm going to quote the chair, Norma Marossi, who said, “I am truly offended by the message that the proposed legislation sends. Five years ago CCAC boards were appointed by the current government's Minister of Health with a mandate to improve health services in the community. Blood, sweat and tears went into that task, and up until now, our board has received nothing but praise from the province for the job done.” I remind you, Speaker—I mentioned this last night—that this is also a community care access centre that just this year received a national award with respect to its management at the community care access centre in Kitchener, a national award. “It is now glaringly obvious that advocacy on behalf of the frail, sick and vulnerable in the community will not be tolerated. Provincial appointees with the support of government will be able to ignore the pleas from the community for the service they deserve.”

I'm going to spell that name, because there's probably staff here making the purge list of all those people who are going to be the first to go when this bill is passed: Norma M-a-r-o-s-s-i, the chair of the community care access centre in the Waterloo region.

Here are some more folks from Waterloo. The board director, David Brohman, said, “The minister needs to read the transcript from the June 12 community forum and understand that this is not about partisan politics. It is about providing support to people in their homes so they don't have to go to hospital.” I remind you that this board was very proactive. It held a community meeting on June 12. About 250 people attended, and that's where they outlined what impacts the cuts would have in that area. They were quite vocal about who was responsible, and they made it clear it was this government.

The vice-chair, John Enns, said, “The implications of the proposed legislation is a slap in the face the week after the Waterloo CCAC was praised for its accountability and effectiveness in a glowing report from the Canadian Council on Health Services Accreditation. This

is our second round of receiving council's highest level of accreditation."

Speaker, you'll recall that in this House, Minister Clement made it a point to point fingers at the CCACs, made it a point to bash them and say that the problem we had with respect to delivery of service was because of mismanagement of the budgets of CCACs. Here's a CCAC that just won a national award for its management and accountability.

Instead of pointing fingers at everyone else, the minister should perhaps take a look in the mirror and see who's really responsible for the problem we have now. The problem has to do with this government not adequately funding home care while this same government has \$2.3 billion for a tax cut for its corporate friends.

I want to quote a little bit more from the chair, Norma Marossi, who said the following about the bill: "The news was a shock, because up until now, the province has been complimentary of the service that we have provided. Many of us were appointed by the Minister of Health in 1996. For the past five years, we have worked to support and develop a better community home care and placement system that represents the needs of the sick, frail and vulnerable. And yes, along with managing the budget of this organization, we have advocated for more help for our clients. Advocacy for the many that cannot speak for themselves is a significant part of the mission of this organization."

She is absolutely right. That is the responsibility of boards of directors who have been elected at the local level to serve the needs of the disabled, of the aged and those being discharged from hospital. If they don't have enough money to meet those needs, they have an obligation to make that public. That is what they have done and that is what the government represents and that is why we are dealing with a bill here today that will effectively have the government take over these agencies so that criticism can be muted, minimized and silenced, if at all possible.

I want to read from a release that came from the chair of our CCAC, Bob Fera, on November 8, who on that day resigned as chair of the CCAC because he felt this legislation was a hostile takeover and a slap in the face to all of the volunteers in the province of Ontario. He said:

"In my opinion their planned legislation is nothing more than smoke and mirrors to cover this government's lack of adequate funding and commitment for proper home care of our citizens.

"In my opinion this government wants duly elected board members from the community to be replaced by government appointees who will do the bidding of the government rather than take care of the legitimate needs of the frail and elderly."

As well, because this government has certainly implied that CCAC boards were not qualified to do the job that they were doing, that the problem was of mismanagement by any number of them, Bob Fera said the following:

"How wrong can a minister be!!

"On the contrary the history and development of the 43 CCAC boards of this province over the last five short years has been nothing short of spectacular and they should be congratulated. Recently, all we have been guilty of is telling the truth and alerting the community to our financial shortfall from this government and the expanding crisis in our delivery of services because of it.

"The real truth is that this government has not been forthcoming with the resources to match the demands of our aging community. Nor do they want to listen to solutions put forth by our association and workers on the front line. Now this very same unlistening government wants to lay the blame on the CCAC boards and staff, who are guilty of nothing more than trying to eke out limited home and personal care with the meagre dollars given out by this government, who still have not, after five years, enacted legislation to ensure that the level of home care services across this province are adequate, fair and equitable."

Let me go now to some of the people whom the government says home care is servicing, whom the government says this bill is all about, whom they're trying to protect, and that is seniors across the province. I want to speak first with respect to a press release that was put out by the Ontario Health Coalition on November 22 with respect to Bill 130. It says the following:

"Far from actually reforming the home care system set up by the provincial ... government in 1997, this act simply serves to silence the boards and CEOs of the CCACs who have recently become some of the government's most vociferous critics.... While this bill may achieve censorship of the CCACs, the problems resulting from the province's short-sighted health care policies are not going away.

"Despite ministerial promises to the contrary, there has been no consultation whatsoever on home care reform—reform that covers the fastest-growing sector in Ontario's health system. Bill 130 is a shocking assault on democracy and should be withdrawn."

I remind you, Speaker, that the Ontario Health Coalition is a network of 200 other community agencies and organizations, many of them seniors' organizations. Many of them rely on home care. Many of them want a public debate about home care needs. Many of them recognize that Bill 130 does nothing of the sort but instead attempts to muzzle the very people, the very boards and staff from CCACs who have been speaking out on their behalf in recent months.

This is a press release from the Ontario Coalition of Senior Citizens' Organizations, again the very group that the government says this bill is going to try to help:

"The government deliberately crippled the access centres with a funding freeze. When CCACs announced their only option was service cutbacks, indicating that they had no choice, given the government's actions, the government turned on them with this gag order." They say, "Adequate funding for home care must be restored and Bill 130, taking over the CCACs, must not be passed without going to committee hearings so that the public

can have genuine input into the plans for reorganizing long-term care."

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This is from the Ontario Nurses' Association, November 29: "It is unconscionable that this government would proceed with this bill without consultation and without tackling the critical problem of the chronic nursing shortage," said Barb Wahl, president. "They've been sitting on a report that shows the damaging impact of inequities in wages and benefits for nurses in the community sector, yet they have failed to act on it. As a result, we will continue to see an exodus of home care nurses from the province if concrete action is not taken." She concludes, "This regressive bill fails to address chronic underfunding and the nursing shortage that is plaguing the province's home care system. We want to see it withdrawn."

Again I mention that while the minister has said this isn't about funding, I've argued that of course it is. That has been confirmed by PricewaterhouseCoopers, which said, particularly with respect to the issue Barb Wahl raises, that the government absolutely has to invest in employees, particularly in nurses. Otherwise community care access centres will not be able to retain those employees to do the important work they do with clients, because they will continue to go into the hospital sector where wages are better. Yes, an investment of money is absolutely required. The government can't deny that. The government's own consultants have pointed that out. The government does nothing in this bill to deal with that particular, very difficult issue.

This came in yesterday from the Association of Jewish Seniors: "Our organization represents 5,000 seniors in the greater Toronto area." It says, "We are extremely distressed by the current situation regarding health care in the province. First, there have been extensive and hurtful cutbacks that are not in keeping with your government's stated intent to ensure appropriate access to essential home care services for all seniors in need of these services. Secondly, most importantly, it appears that CCACs are being targeted for problems that are not of their making. There is no justification for this government to take over the organizations. They are intended to be community based, governed by duly elected boards, selected by and accountable to the community which they serve. Our organization is adamantly opposed to Bill 130, which changes the government structure of CCACs. We urge you to withdraw your bill."

This came yesterday from the alliance of seniors, which represents over 350,000 seniors in the province: "Please be informed that our organization, representing some 350,000 seniors in Ontario, is totally opposed to Bill 130. This bill would allow the Ministry of Health to run the community care access centres devoid of direct input from the communities which they were created to serve. The provincial government's intended control over CCAC boards of directors and their CEOs is unprecedented and totally without foundation. It virtually removes community accountability and turns these organizations into provincial government bodies."

They urge the following to this government: "On behalf of our organization and the tens of thousands of citizens we represent, we urge you, in the strongest possible terms, to withdraw Bill 130 and your plans to take control over the governance and management of CCACs. Scapegoating CCACs is not the answer to the issues in home care. We strongly urge you to begin providing the financial support that home care must have." They offer their assistance to the minister, if the minister truly wants to have consultation, debate and dialogue on reform of the home care system.

So it is very clear that it's not just the opposition that has serious concerns about this bill and that views this bill as a hostile takeover by the government of CCACs. Many CCACs themselves, many directors, have had the courage to come forward and say the same. I wish more had. Other organizations, particularly those representing seniors, whom the minister purports to represent and whom the minister has said will benefit from this bill, have come forward and said the same. This is nothing more than a takeover of these boards. These boards are now being scapegoated by this government. The real problem is the current government's underfunding of home care at this time. What the government needs to do is increase funding rather than try to take over boards, muzzle them, silence them and make sure there is no more public criticism of the government.

It was for that reason that we wrote to the government House leader on November 19 and requested that the government hold public hearings on Bill 130. CCAC board members, employees and the many vulnerable people, especially the elderly, who depend on these services, are very concerned and we have demanded extensive, province-wide public hearings to allow those people whose lives will be affected to actually voice their concerns.

I want to make it clear that we are not going to be party to facilitating the government's passage of this bill. I listened to the minister last night, who, in response to a brief that's been put forward by the association, effectively said that none of the recommendations for amendments that were put forward by that association were going to be adopted by this government.

The fact of the matter is, even if they were adopted, I don't believe the recommendations that came forward from the association are strong enough. I think the association should have taken a very clear stand, as a number of individual boards and executive directors did, to say that the government should not be allowed to take over control of agencies that should be community-based and responsive to local communities.

I heard the minister say last night that they're not going to deal with the amendments that came forward from the organization anyway. Even if they were, we wouldn't agree to facilitate passage, because we believe that people around the province should have their say.

In short, the bill does nothing to improve home care for the thousands of seniors, the disabled and people being discharged from hospital who need it. The bill is all

about this government's appointing boards of directors, executive directors and senior managers responsible for what is disclosed by CCACs so that this government controls who is doing their bidding and what information is being released. It is completely undemocratic. There is no need for it, and we will not support it.

**The Deputy Speaker (Mr David Christopherson):** Members now have up to two minutes for questions or comments.

**Mr Garfield Dunlop (Simcoe North):** I'd like to take the opportunity to speak for a couple of minutes on the comments made by the member from Nickel Belt. I'd like to just make a couple of brief comments on her opposition to appointed people being on any type of community care access corporation board of directors. In my comments last night, I talked about the few years I spent on the board of health in Simcoe county. At that point, we did in fact administer the home care and the homemaking program under one director. At that point, we had an eight-member board: four from the county of Simcoe, one from the city of Orillia, one from the city of Barrie and two people who were appointed by the provincial government. At that time it would have been the David Peterson government.

We were quite pleased with that structure. I thought it was very accountable to the taxpayers. The local taxpayers paid for a portion of the board of health budget—the environmental, dentistry and nursing divisions—and the large portion, home care, was paid 100% by the provincial government at that time. To me, those two provincial appointees on that committee were very valuable. We had some elected people as well as provincially appointed people. I thought it worked out very well as far as structure. We were accountable. At that time, I believe the home care program was around \$6 million for the county of Simcoe. Today, they're asking \$42 million for next year. It's ballooned with the tremendous growth in that area. I want to say that I personally was against leaving that structure back in the early 1990s.

**1650**  
**Mr Alvin Curling (Scarborough-Rouge River):** I just wanted to make a quick comment on my colleague from Nickel Belt. She pointed out, very much so, the discrepancies and the undemocratic way this government went about Bill 130. It was rather surprising that my Conservative colleague from Simcoe North got up and ignored all of that. That is typical. I think he is reading from his House leader's directions, telling him what to say. But I think when you're sent here, you must represent the individuals within your community.

This Bill 130, as the member from Nickel Belt said, is almost insulting to the democratic process. Community input was completely ignored and this government continues to say, "We know what is right."

One of the things we are seeing now is that the crack in this government is widening. As they scatter around to find some sort of leader, each of them may be saying different words but they go in the same direction. People are seeing through them. People are seeing that basically

they have no direction. All they need to do or all they can do is to destroy—a revolution of destruction but no revolution of creation. There is no way, in a sense, that you can see that.

As a matter of fact, there is a sentence I saw here which should have described this government: "Good administration of public funds depends on good decisions based on good information." Actually, the auditor was making reference to this government and the way they should handle democracy and public funds. If somehow they had just followed that instruction and were accountable to the people who elected them, they would have made a better government. But the Conservative government today feels they are right in whatever they are doing and the people are wrong. They would feel much better off if this democracy could be without people and these arrogant individuals could dictate what they want.

**The Deputy Speaker:** Further questions or comments?

**Mr Peter Kormos (Niagara Centre):** New Democrats oppose this bill. New Democrats have called for, and will continue to call for, full public hearings. This bill is an effort on the part of this government to further cripple home care services here in Ontario, to further undermine them and to launch yet another attack on the sick, the seniors and those with disabilities.

The member for Sault Ste Marie, Tony Martin, is here waiting to speak to this bill. He may or may not get a chance before 6 o'clock, and then after 6 he is going up to Ottawa, where tomorrow he will be participating as our caucus's member of the committee hearing submissions regarding the Ontarians with Disabilities Act. So Tony Martin, for the New Democrats, is going to be in Ottawa tomorrow at the Crowne Plaza hotel at 9 am. I expect that folks in Ottawa—well, the government is trying to ram that bill through too, the Ontarians with Disabilities Act.

There isn't much there. Persons with disabilities who have been waiting for years now for this government to keep its promise to produce meaningful legislation have been cheated and disappointed once again. But Tony Martin is going to be in Ottawa on behalf of the New Democrats tomorrow, Friday, at the Crowne Plaza hotel from 9 am, and the public is not only invited but encouraged to get out there and look at this government's dismal performance when it comes to legislating on behalf of and in the furtherment of the rights of persons with disabilities here in Ontario.

Just as Tony Martin is going to be in Ottawa on Friday, he will be in Windsor on Monday, again with the same committee, and folks in Windsor are not only invited to come out but encouraged to come out to see this government's dismal, pathetic betrayal of persons with disabilities here in Ontario.

As Tony Martin is on the road, Shelley Martel is here at Queen's Park, leading us New Democrats in our fight to ensure adequate levels of home care for those seniors, those sick and those disabled.

**The Deputy Speaker:** The Chair recognizes the member for Bramalea-Gore-Malton-Springdale. You have the floor.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is a pleasure to make some comments on today's very important bill, Bill 130. I'm sure the people at home sometimes forget what we're talking about because everybody goes off on a tangent. In fact, the speaker from Niagara Centre, just two seconds ago, talked about what is happening with the Ontarians with Disabilities Act in Ottawa and where the committee is going. I just want to remind the viewers at home that that is not what we are talking about today. Today we are talking about the Community Care Access Corporations Act, 2001, which is Bill 130, and I'm going to come back to the point.

If you want to continue on reaching out and listening to people, we were actually in Sioux Lookout last week, on Friday, and we had a very constructive committee hearing. In fact, the leader of the third party, Howard Hampton, was there. What was happening there was an amalgamation of two hospitals. There's a hospital that is being run by the federal government, which is for the native people, as well as the hospital that is run by the province for everybody else and the native people. Native people felt that they were being segregated, and they are very happy that these hospitals are going to be amalgamated and that there are going to be better services provided. In fact, the leader of the third party himself agreed that the amalgamation of these hospitals is going to provide better service to the communities. I think that's exactly what we've been saying for the last six years.

On the other hand, coming back to the CCACs, we have been spending much more money compared to 1994-95. At that time, the money being spent in that area was \$695 million, and now we are spending, in 2001-02, \$1.2 billion.

**The Deputy Speaker:** Thank you. Your time has expired.

*Interjection.*

**The Deputy Speaker:** No, we've had four; please take your seat.

The member for Nickel Belt now has up to two minutes to respond.

**Ms Martel:** I appreciate the interventions of all of the members, but I have to say to the speaker who spoke last, I'm not sure what the amalgamation of the two hospitals in Sioux Lookout has to do with the bill before us.

When I started last night I said that it would not be a surprise to people that we are opposing this bill. In my opinion and the opinion of our party, it does nothing to improve home care in the province of Ontario and it has everything to do with this government taking control over CCACs to try and minimize or muzzle or silence the criticism that has been coming from these organizations over the last number of months as they point out that the current level of funding for home care is not enough to deal with the needs of seniors, the disabled and those being discharged from hospital.

I spent time last night going back to the point in May where of course people were made aware that they would incur deficits and the nature of the cuts that they were forced to impose, which has had dramatic effects on seniors and the disabled and those who are being discharged from hospital, many of whom can't afford to pay for these services. In essence, many of these cuts are forcing seniors into long-term-care institutions earlier than they would have had to go into those institutions, with a much greater cost on the health care system. I believe that doesn't make any sense.

I looked at the contents of PricewaterhouseCoopers and made it clear that the minister could implement these changes without taking the draconian steps she is taking in Bill 130, which are for this government to appoint the boards of directors, for this government to appoint executive directors, and for this government to control what information will be released publicly by CCACs. These recommendations can be implemented without the draconian measures. It's clear the reason the government is bringing those measures forward is because the government wants to take over these organizations, wants to muzzle, wants to silence them so that there won't be any more criticism of the government's underfunding of home care.

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Bart Maves (Niagara Falls):** It's a pleasure to rise and speak to the bill before the House on the reform of community care access corporations in the province of Ontario.

The members opposite are decrying the bill. I know they have stood several times in the House and talked about people who have had an inability to access some services and a variety of other complaints in CCACs across the province.

I particularly recall the member for Hamilton East going after the Minister of Health about the CCAC in Hamilton, to do something about the CCAC in Hamilton. The minister did an operational review. The operational review was absolutely condemning of that CCAC, and I'll read from that operational review later. The minister then sent someone to be a supervisor of that Hamilton CCAC, and after asking and demanding that the minister do something about it, the member for Hamilton East stood up in the House and condemned the minister for acting on the report and doing what the member had been requesting that he do for quite some time. It just goes to show you that members opposite can get up and demand more money for this and more money for that, as they do with just about everything under the sun in the province of Ontario, they can take any side they want on any issue, but they ultimately aren't currently the managers of these different systems and the responsibility doesn't lie on their desks. The responsibility lies on the government desks and on the Minister of Health. When I read some of the reports I'm going to read to you tonight, the people at home listening will see why it is absolutely necessary that the government take action to fix the CCAC system throughout Ontario.

1700

Over the past couple of years I have had clients, doctors, hospital administrators, people in the long-term-care sector, nurses who actually provide the services for the CCACs and board members from all over the province talk to me about the problems with CCACs and the fact that we need to fix the CCACs. This government is listening to that, and we're fixing the CCACs.

CCACs are very important to us. It's part of our broad reform of the health care system in the province of Ontario, something the members opposite did nothing toward when they had a shot at government in this province. For instance, we're moving to build 20,000 new long-term-care beds in Ontario. A new bed had not been built since, I believe, 1988 or perhaps even earlier than that. We're building 20,000. It was bad planning by previous governments. They did not realize that the population was aging and that we would need more long-term-care facilities across the province.

At the same time, there's a move all across Canada to spend more money and put more resources into home care, having nurses, in effect, go to people's homes to deliver services there rather than having them for long periods of time in the more expensive hospitals. Everyone else moved in this direction, but the province of Ontario didn't do that until this government came into office in 1995. Since that time, we've increased funding for home care dramatically, to a point where it's about \$1.17 billion today. That's about a 70% increase province-wide since 1995. In some areas of the province, like my own in Niagara, we've had more than a 120% increase in the home care budget since 1995.

We'll have about 6,000 of these 20,000 long-term-care beds open by the spring of 2002. When we do that, we relieve pressure on the hospitals, because there are seniors occupying some of the hospital beds who are waiting for a long-term-care bed. We need to get those folks into long-term-care beds so that people who present themselves to a hospital and are critically ill and need admission to the hospital have a bed to be admitted to. That's why it's important to build those long-term-care beds, and as I said, about 6,000 will be open. Over 3,000 are open now and are operating and filled in the province of Ontario, but 6,000 will be open by the spring of next year. The rest of the 20,000 will follow after that in about a year's time. This is of vital importance and was totally neglected by the members opposite when they were in government.

Similarly, as I said, we've increased home care funding. If someone is in a hospital who doesn't need a long-term-care bed but can't quite go home, previously the only option was to stay in the hospital for more expensive care and in effect block—as some people have referred to it—a bed for someone in critical need of a bed. We can now send that person home and have that home care. That's what the CCACs are there to do: to make sure those services get delivered to those people most in need and to support the system in that way.

So there is that reform of the system. We're also, of course, moving with the Ontario Family Health Network.

We've added over 1,200 drugs to the Ontario drug benefit formulary over the past five years. We have 10,000 family practitioners across the province. If they were all enrolled in the Ontario Family Health Network, they could take about 2,000 patients. That means we have enough GPs for 20 million people. We have only 11.8 million people. So I think that move to adopt the Ontario Family Health Network is also an important reform.

That's an overview of where some of our reforms have gone and why the huge investment we've made in community care is important to the province of Ontario, why the huge investment we're making in long-term-care beds is important to the people of Ontario. A former health minister is here today, Minister Wilson, and he was part of that direction early on and getting us going in that direction.

At the same time, as I said at the outset, it is our job as government to ensure accountability to Ontario taxpayers and to demonstrate that accountability with performance that clearly shows how tax dollars are being spent. That's why we have advised the 43 CCACs, after years of more and more spending and actually several times at year-end going in and picking up deficits, that they must finally operate within their budgets. We're working with them to ensure that appropriate services are delivered within their budgets. We've encouraged them to employ good case management and a variety of other means.

In this frame of mind, and after having received complaints from the members opposite and frankly from many of our constituents and lots of people in the health care system, we asked PricewaterhouseCoopers to do a review of the CCACs across the province. Similarly, we had a very big problem in Hamilton, and we set out a group to do a report on the Hamilton CCAC.

As Duncan Sinclair said, who of course was the head of the Health Services Restructuring Commission, "You can't just apply a greenback poultice." In other words, an infusion of money will only create more problems in this sector. He said, "Don't do that." We tried that, actually. We were guilty of that, throwing money at this problem in the past couple of years. That, obviously, is not working, because we've thrown so much money at it and there are still problems with the right people getting services at the right time in this sector. We didn't want to continue down that road, and that's why the minister has come forward with some of the legislation she has come forward with.

I want to read to you some of the major findings and observations from the operational review of the Hamilton-Wentworth Community Care Access Centre. For the folks at home who are listening to this, when you hear this and when the members opposite hear this, how they can possibly conclude at the end of the day that "Everything was OK; we just needed to give them more money," is totally beyond me and says something about the members opposite. Let me read several of the findings.

Here's one. This is, again, from the operational review of the Hamilton-Wentworth Community Care Access

Centre: "The board, as investigated and stated in this report, is generally naive about its public accountability, arrogant in its modus operandi, largely oblivious to the need for proactive communications with its primary stakeholders, and lax in not acting more quickly on a worsening fiscal crisis when it confesses to have known about its own service delivery deficiencies." That's the second major finding.

Major finding number 3: "The board provided inadequate strategic direction and leadership, was ineffective in communicating with stakeholders including its staff, failed to ensure accountability and transparency in its operation, and by trying to manage the day-to-day operations, created a climate that made it difficult for CEOs to exercise their appropriate role."

Number 4: "A CCAC is a big business but the HWCCAC has a critical shortage of people with business skills or experience among both the board and senior management. As a result, there is a need for renewal of the board and a need to assess the skill mix of the senior management team."

They came right out and said, "You need a new group of senior management; you need a new mix of people."

Number 7: "There is no effective monitoring or management of service utilization and caseload, the greatest drivers of CCAC costs. As a result, existing resources are not used efficiently, leaving reduced resources available to provide the services intended under the CCAC mandate. There was little understanding of how monitoring could be improved, other than to obtain a new information system."

Number 8: "The system for assessing which clients should be the highest priority for services is inadequate." That is a major role of a CCAC. When it has service requests from clients, from doctors, from hospitals, from long-term-care centres, a major role of that CCAC one-stop shop is to properly assess and properly prioritize the people who are in the greatest need and make sure that those people who are in the greatest need get the service. That was not happening. That needed to be addressed, and it's clear from this report that it was not happening.

1710

Number 9: "The mandate of CCACs is to provide access to long-term-care services through case management and placement coordination processes. These processes were found to be weak. The case managers/placement coordinators seemed sufficiently capable but the weakness of the process was found to be mainly due to the direction the staff were receiving from senior management."

Number 11: "It appeared that the CCAC board and senior management did not recognize the importance of strong case management and placement coordination roles. This is a core business of a CCAC to ensure sufficient client service delivery and resource management. Together, these roles ensure that the right clients are provided with the right services at the right time, that services are adjusted as needs change, that clients are discharged as soon as the CCAC service is no longer

needed and that alternative services are found for clients no longer eligible, if necessary."

So you can see that any rational person—and the Minister of Health, as I know him, is an extremely rational person—who asked for a study to be done, an operational review of the Hamilton CCAC, and who read this report, who had this report across his desk, would act quickly and swiftly and strongly. Why? Because the seniors and some of the kids who get services from CCACs were the ones who were losing out if this was not addressed in Hamilton.

We did the PricewaterhouseCoopers study. The PricewaterhouseCoopers study was much politer. They didn't use language as strong as was used here, but many of the recommendations in the PricewaterhouseCoopers study were very similar. They talked about the problems of board renewal, they talked about the problems with senior management, they talked about many of the same problems that the Hamilton-Wentworth study talked about. So faced with two studies that talked about these problems, this government and Minister Johns and Minister Clement decided something needed to be done system-wide with the CCACs.

I would also say that once we sent in a supervisor to the Hamilton CCAC—and I've just read to you some of the major findings and observations from that report and anyone who listened would understand how shocking and scary those findings and observations were. When we sent in a supervisor to take over managing that CCAC, she reported back to us that things were actually worse than what the Hamilton review stated, and that's a scary thought. To do nothing puts all those people in Hamilton depending on CCAC services at risk. We can't in good conscience do that.

I also know from talking to people at other CCACs like my own in Niagara, board members think many of the problems that are stated here in the Hamilton-Wentworth report are the same types of problems that exist in the Niagara CCAC. I've heard that, as I've said before, from hospital administrators. I've heard that from doctors who have come to my office to tell me their concerns. I've heard that from long-term-care facilities that have told me they have concerns. I've had nurses who deliver services for the CCAC in Niagara call me at my office and tell me of their concerns. I have clients, one of whom comes by my house on her wheelchair on a regular basis and stops to talk to me. She has talked to me several times about her concerns with the CCAC in Niagara. The board members have talked to me about their concerns.

The supervisor we sent into Hamilton, who said it's actually worse than what the report says—which is shocking enough—has said to me that the same problems exist in the Niagara CCAC. Several of our members, I know from talking to the members on the government side, who represent every area of the province and CCACs all across the province, have also reported that they're experiencing and hearing about the same problems in their CCACs.

So the evidence is there in several reports, from all of our members talking to people in their health systems cross the province, that something needed to be done. That's why this government has taken action and introduced this bill. I think the bill will go a long way to addressing a lot of the problems that are in the PricewaterhouseCoopers report. Not only will it be about rejuvenating the boards and making sure that qualified senior management are in place to run CCACs, but also in this act new accountability responsibilities are required, including the creation of strategic plans to meet the government's vision and objectives; accountability relationships throughout the organization; developing evidence-based performance indicators to evaluate its own performance; regular and consistent monitoring and reporting to ministry offices on CCAC activities, including budget and service outcomes; and strengthening our service agreement to ensure consistent expectations and clear requirements in the operation of all CCACs.

Over the last few years, many of the CCACs have actually asked for this kind of definition and more definitions to put to this relationship between the Ministry of Health and the CCACs. One thing I think is important that this bill does is that each CCAC board must now establish a community advisory council to promote and enhance integration among the CCAC, long-term facilities, hospitals and other community service agencies. I have to tell you that I think that is a stroke of genius on the part of Minister Johns, because one thing that we clearly need throughout the province in our health care system is better integration. We can't continue to have—and we did for many years—hospitals in each city or several hospitals in cities all doing their own thing and not communicating with one another. The hospitals are not communicating well enough with long-term care facilities. The hospitals—

**The Deputy Speaker:** Please take your seat. Could I ask the opposition benches to just lower the level of discussion? It's starting to interfere with my ability to hear the speaker.

The member may continue. Sorry for the interruption.

**Mr Maves:** As I said, that integration between the hospitals themselves, between hospitals and long-term-care facilities, between long-term-care facilities and CCACs, with doctors, and now as we get more into family health networks, is very important to improving the system all across Ontario. I think we'll see some more regional integration where we'll perhaps have the health system in Niagara—if they get together and have committees of CCACs and long-term-care facilities and hospitals and their medical community, if they are more integrated and have a better system in Niagara, they can get together, Speaker, with your folks in the Hamilton area, where they have some excellent health care facilities and excellent health care people. I know a lot of our folks in Niagara come up to Hamilton for some of those specialized services that are offered in Hamilton, and some of those wonderful docs who are in Hamilton. We need to have that better regional coordination.

Putting this community advisory council in this bill, establishing that, I think is a stroke of genius on the part of Minister Johns and one that she needs to be congratulated for. She clearly understands, and having this part in the bill clearly says to the health care community, "We have to have better integration. Only with better integration are we going to have better delivery of services, are we going to have our health care institutions look after more appropriately the clients, who are our patients, who are all of our constituents."

It is with this overwhelming amount of evidence from the PricewaterhouseCoopers report, from the Hamilton-Wentworth CCAC report and from all of the discussions all of the members on this side of the aisle have had over time with people in the health care community that I believe this moves in the right direction to reform CCACs. To do anything else I think quite frankly would be irresponsible, not only to taxpayers who have now spent billions each year on home care, but to the clients, most importantly, who depend on the services from CCACs.

**The Deputy Speaker:** It is now time for questions and comments.

**Mr Michael Bryant (St Paul's):** I listened closely to the member's speech. The member is making the case for why this bill is rational. I think that was one of the main thrusts of his argument. But that suggests for a moment that in fact this is a rational effort by the government to address home care in Toronto, to address the fact that the right providers are not getting the tools and are not being empowered to serve the community. What this will do is make an already disastrous problem worse. Surely that's irrational. That may be rational under Tory logic, but it's not fixing the government, which the Tories say is their mandate, nor is it in any way a step forward, obviously, for home care. The problem is simply this: the government knows it's in trouble with the CCACs, and in turn they are giving up on fixing home care. So the only thing they can do is bring in this paper tiger, this shield that in fact is going to make matters even worse.

1720

I want to applaud the CCAC board members in Toronto who have had the courage to come forward and stand up to this government and tell Ontario the truth. I applaud them for that. That took a lot of courage. They're great citizens for doing it. I know that we on this side of the House are inspired by that courage. I can also say that in a community as diverse as the riding I have the honour to represent, a one-size-fits-all macro approach, micro-management from Queen's Park, is going to be the worst solution possible.

**Mr Tony Martin (Sault Ste Marie):** I appreciate the opportunity to comment on the speech by the member for Niagara Falls. I know he tried hard to justify this takeover of CCACs by the government. I think he shared with us a prepared speech that is obviously the mantra, the public relations spin by the government to cover over this complete and total takeover of boards that are so important to every community across this province for

the delivery of home care and long-term care to all kinds of people.

The bill represents a total takeover, with CCAC boards and the executive director to be appointed by cabinet. This takeover is unprecedented within the sector and across all other services in the province. There will be a complete loss of community control. Currently, one third of the board must be made up of consumers or caregivers in the community. There will now be no community consultation but lots of consultation within the government and within cabinet on who gets appointed to the various positions.

Despite the title, the community advisory council that each board is required to establish will not be a community-oriented board but rather a body of professionals appointed by the board. The minister does not have to make available any information about each corporation, with the exception of an annual report.

The quality and level of service must always be treated as more important than governance, and that's not the case with this bill. This government set up CCACs, starved them of resources, created a shambles and is now trying to silence all criticism coming from the CCAC boards and staff. It would do you well to take a look at the comments of the member for Nickel Belt if you really want to understand what this bill is about, what it does and then again what it doesn't do.

**Mr Curling:** It's unfortunate, actually: the member from Niagara Falls had the opportunity to come clean with the Legislature and tell people exactly what his government is doing with the CCACs, come clean that these are community individuals who understand the concerns, who for a long time have been telling the government that their process has been underfunded and the treatment of these organizations by the government was deplorable and needed to be fixed. But what happened? He comes and defends this situation as if nothing happened. The big bully has come and said, "Community input is not important. Who we appoint and who we put forward in this process by government is better."

If the government of the day just for one moment would realize that the people are seeing through them just like glass—they're looking right at them and saying, "You're not coming clean with us." The auditor has said that. The auditors said that not only are you keeping two separate books, but you are telling folks that you are spending all this money, counting projections five or 10 years down the road and then counting it in one year. They're seeing through you.

I was very disappointed with the member from Niagara Falls, whom I respect tremendously—I've seen him handle some very tough roles here; they were in the wrong direction, but they were tough roles you were handling—to find out, after all these years, that he'd have learned to come clean with the Legislature. Here he is now defending something that is not defensible. People are seeing through you. We know that when the time comes, the only way they can exercise this in a forceful way is to make sure that this façade that goes on with this government stops by an election.

**Mr Kormos:** I want to make it clear once again that New Democrats oppose this bill and insist that it go out to meaningful public hearings. We will debate the bill for as long as we have to. We will be calling upon Tory backbenchers to show some good judgment and join us in voting against it and defeating it.

Niagara region is in crisis. Niagara, amongst other things, is one of the aging regions of Ontario; indeed, of Canada. One of the top three issues that we have to deal with in our constituency offices is the ongoing reduction in the amount of home care that's being provided for seniors, for sick people, for people fresh out of hospital because, as you know, hospitals are keeping people for shorter and shorter periods of time. People going into the hospital for surgery are being released the same day. Those folks are having to rely upon home care, and the home care services simply aren't there. As if it weren't bad enough now, the real crisis is yet to come because Niagara, as an aging community, is going to see more and more demand on home care services.

This government has abandoned home care. It has abandoned those sick, those vulnerable, those post-operative patients. It has abandoned the persons with disabilities, people who require the home care services, people whom home care services permit to remain in their own homes and live with some level of dignity, decency and independence. If you think home care is expensive, the option—which is institutionalizing people, putting them into seniors homes, putting them into hospital rooms—is 10, 20, 30 times as expensive.

This bill merely camouflages the problem. That's all it does. In fact, it aggravates the problem because Tory hacks—and we've seen enough of them go through the boards and agencies committee hearings—are going to be placed on these boards who will be nothing but apologists for the regressive policies of this very punitive government.

**The Deputy Speaker:** The member for Niagara Falls now has up to two minutes to respond.

**Mr Maves:** In response to some of my colleagues' comments from across the way, I want to assure them, first of all, that when board members are appointed to the CCAC boards, these board members are going to come from local communities. The member opposite decried and said that they'd be micromanaged from Toronto and there wouldn't be any local community flavour on these boards. I can assure you, that will not be the case. The government will work very hard to find—and this is very important—qualified people to run these boards.

The Hamilton and PricewaterhouseCoopers reports clearly show—the members opposite just have to pick up the reports and read them—that too many people were running these boards, senior management, some of whom were in over their heads. The problem with that is that the seniors who get the services, the kids who get the services, are the ones who suffer. We need to find qualified local people, and we'll do that.

Similarly, the member from Niagara Centre talked about Niagara's need for long-term care. If you'd listened

at the beginning of my speech, I talked about the 20,000 beds we're building. I talked about the need to move people out of hospitals and into those beds and look after them in home care. I also said that CCACs had received about a 70% increase. Over \$1.1 billion, up from about \$600 million, is now being spent on home care. That's not starving it of funds, as the member for Sault Ste Marie said—70% province-wide. What has been Niagara's increase? Over 120% in that time period.

Mr Hudak and I have pitched long and hard to make sure that Niagara got its fair share and then some, because after 10 years of Liberal and NDP governments, Niagara was behind. It was important that we address that, and we did.

Finally, the NDP has supported us on this. We are now spending \$6.1 billion more on health care. The federal government is continually reducing their share of funding for health care. I'd like the provincial Liberals to step up to the plate on that one.

1730

**The Deputy Speaker:** The floor is now open for further debate.

**Mr Joseph Cordiano (York South-Weston):** This is truly a sad time for us in this Legislature, when we have to debate the ruinous way in which this government is conducting itself when it comes to home care services.

I forgot to say, Mr Speaker, that I will be splitting my time with my colleague.

But it is an absolute disgrace that in this day and age, after the unprecedented boom and tremendous wealth that was created in this province, this government should deem it necessary to cut home care by \$175 million. That was the shortfall that CCACs were facing this year. So it becomes necessary, after all of this, for the government to then turn around and say, "The local community members that made up these CCAC boards could not properly manage the dollars that were required in order to have all of the home care provided in the communities that was necessary."

Well, the fact of the matter is, people were being put on waiting lists in CCACs right across this province. Why? Because the demand has grown. It has nothing to do with the fact that we have appointees by this government or appointees who were made up of community members right across this province. The fact is, there is a true shortfall in the number of dollars that was flowing for that type of service to be provided. Some \$175 million, to be exact, was short from last year's budget.

In the North York CCAC alone, in my community, they were facing a \$10-million shortfall. So what were they forced to do? Any good operation would have to say to itself, "We simply can't make ends meet," so they came back to the government and said they were short. What did this government do? It said, "You know what? We don't like what you're saying. You are mismanaging your affairs. We're going to take you over."

That's what this bill represents. It represents this government suggesting to everyone that they don't like what they're hearing so they are going to gag these

people on the CCACs. In fact, they are going to eliminate them. "If we don't like what you're saying, then we're going to just get rid of you." If the government doesn't like what it hears, it just gets rid of people. It eliminates them. It cuts funding. It eliminates boards that are duly elected by communities, that are representative of those communities, and then it suggests that it can do a better job.

At the end of the day, what's going to happen is that the waiting lists will get longer. There will be more needy people waiting for home care who won't be getting it. And who are these people? They are the frail elderly, the disabled, the most vulnerable people in our community.

It's totally unfair of the government to suggest that these boards somehow mismanaged their funds. It's a complete falsehood, a complete myth that that was the case when in fact the demand has grown right across this province. As I say, in my community it is absolutely a disgrace—and I've met with many people in my constituency office to discuss this very real crisis that we have facing Ontario—that 70-year-olds who are caring for their elderly parents who are in their 90s were forced to do so without any assistance from home care, people like Mr Frank Derango in my riding, who himself is 70 years old and was providing care for his mother at home. She was receiving some home care. Unfortunately, Mr Derango is undergoing cancer treatment. It is a tragedy that he found out that he had cancer. He is undergoing cancer treatment himself. He has applied for home care and he's been told that he will have to wait three months before they can address his concerns and his needs. Three months—that's the minimum, and it could be that it will be six months, because this government continues to underfund CCACs.

It's just not—I was going to say "not truthful," and I can't use that word, Mr Speaker, to the government. But they are not forthcoming when they suggest to people that somehow the demands aren't there. The demands are certainly there.

*Interjections.*

**The Deputy Speaker:** Order.

**Mr Cordiano:** What is this government saying to people? What are they saying to the frail elderly out there? "Forget it. You look after yourselves. Look after your families; look after your elderly. Seventy-year-olds, it's your problem. You've got elderly 90-year-olds in your family? You look after them, because we haven't got any more money."

Well, Mr Speaker, is it any wonder? The government wants to proceed with a \$2.2-billion corporate tax cut in the face of all these demands, in the face of all these needs. And what are they saying? "Well, that will create jobs." In fact, we're losing jobs right now.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Check the record.

**Mr Cordiano:** We're losing jobs: 29,000, to be exact, in the last six months, and it's anticipated that somewhere in the neighbourhood of 150,000 jobs will be lost this year.

**Mr Guzzo:** Eight hundred thousand—

**Mr Cordiano:** That comes as a result—

**The Deputy Speaker:** Take your seat, please. Stop the clock. I don't want to have to ask the member from Ottawa West-Nepean again to please refrain.

Sorry for the—

*Interjection.*

**The Deputy Speaker:** Pardon me?

**Mr Guzzo:** I will refrain.

**The Deputy Speaker:** That's fine. That's what I like to hear, that you will. Now please do it.

**Mr Guzzo:** I want to please.

**The Deputy Speaker:** Yes.

Sorry for the interruption. Please continue.

**Mr Cordiano:** Thank you, Mr Speaker.

We have pleaded with the government, those of us on this side of the House. We have pleaded with the government. This is a very, very serious crisis. It is very real. The people who are trying to cope with this situation are unable to continue coping. Can you imagine in this year of 2001, in this province, as wealthy as we are, that we simply cannot afford to look after the frail elderly? By the way, they are staying in their own homes, which means it will cost the health care system far less than to institutionalize the frail elderly. They're doing us a favour by remaining in their homes, and all they are asking for is a little bit of help, which would go a long way. This government simply turns its back on these very vulnerable people.

I can repeat the story that I've just told about Mr Frank Derango many times over. There are many people in my riding who face similar circumstances, and they are pleading with me and with the government to do something, provide additional resources, because it's cheaper than putting people in institutions. It's cheaper; they realize that, and they are willing to do their part. After all, what could be fairer than that, that families are willing to do their part to look after the frail elderly? They're doing their part—heroic efforts. Many of these people spend countless hours looking after the elderly. In fact, many of these people also volunteer to help other institutions, and they're simply asking for a little bit of help, which would go a great deal further in providing that kind of assistance.

As I say, it would help all of us in Ontario to reduce the costs. Everyone's trying to pitch in. Everyone means well. But when you have a government that continues to ignore legitimate, reasonable demands that are being made by citizens, then I say that this government doesn't deserve to be where it is. If you fail to deal with the most vulnerable in our community, then shame on you. There is no other way to look at it.

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I've been in this Legislature through three different administrations, and I've got to tell you that this is just at the lowest level. When we reach this point where we cannot assist people who are in that kind of need, great need, then we'll rue the day. We'll look back on this time if you don't do something about it. It's not sufficient to

say we're going to take over these boards because they're being mismanaged. That is a falsehood. The fact of the matter is you have to properly fund these CCACs and they will do their jobs. They have been doing their jobs with what limited resources they had and the odds were against them.

I turn it over to my colleague.

**Mr Curling:** I really appreciate the opportunity to speak on Bill 130, the Community Care Access Corporations Act.

You may recall, Mr Speaker—and I know that these concerns are very deep and close to your heart—that when the member for Windsor West and my colleague from Thunder Bay-Atikokan came to this House and put the question before the minister that Thunder Bay had to cut \$9 million from their budget in order to balance their budget as dictated by this government—because they were obsessed about bringing through a balanced budget and were neglecting the needs and not addressing the cause—she warned them that to do that, what they had to do in that area was that many patients who were discharged and couldn't get the care needed from the community had to go for weeks without even changing the bandages off their sores or to have a bath. This comment just turned their eyes and their heads away from all of this, not understanding all of this. The member came day after day, telling the minister there's a great need out there to be addressed, and they continued to cut back on all the services and the support needed for the CCAC.

The fact is that it came to light that one of the ministers over there, if you recall, the former minister of education at the time, said he had to create a crisis in order to solve anything around here. When the true crisis came to them, they couldn't handle it. Of course they have created this crisis, and when the people spoke out and said, "Here is how we can address it," they addressed it in this form. First, as I have often said in this House and this is obvious, how this government behaves, as soon as they see democracy they get very frightened. As soon as they see participation by the people, they get confused, because people get in the way of their governance. It poses a threat to the way they manage things.

They don't understand that community input brings out the truth in any community. They understand the needs and they know what to do to address those needs, but it interferes with their kind of ideology, because they are obsessed, of course, that whatever money they have, if they give it to the rich or give it to their corporate friends—which they are called in this creative way about tax deduction—things will magically happen.

This Conservative government is extremely creative and wonderful when they have money. As soon as there is a recession, if you want to call it, they become all panicked because all they can do and deal with are those on the top end. But those that you are elected for—because those people at the top don't really need government to foster them and give them welfare. As you'll recall, a very famous individual said that they're a

bunch of "corporate welfare bums." The fact is they get the money, and those down on the bottom end who need the support of government—those who are destitute, elderly and lame, who need government, who have put their sweat into the country and the province and were many times underpaid and abused in the workforce—are sometimes needing more support from the government. But this government doesn't see it that way. They feel that they should neglect those and that whatever came to them in those times is all due to them.

Here they are now. They feel if they appoint their own people on this board, where they can manage them, it will be a better way for them, where they can manipulate them.

One of the members over there said the standing committee on government agencies is a wonderful way to appoint people. I've sat on that committee, Mr Speaker, and the people out there should know what happens. If you're a member of the Conservative Party and they want to pay you off, they put you on a board. Many of the people who come before us haven't got a clue what they're about. I am convinced that when the CCAC boards have been appointed by these government people, they wouldn't even know what they're there for. They'll be given direction on how to vote and what to do. They are being compensated for maybe knocking at doors for some of those Conservative members but are not able to do the things that are needed in the community. I am appalled and shocked at what the results will be eventually.

Mr Speaker, you know that Dalton McGuinty and this caucus will not be supporting this bill. We think it's wrong. We feel it is the wrong direction. And we're not saying that alone. It's not just the opposition saying that. There are individuals in the community. The Ontario Nurses' Association came out very strongly and said, "Ontario's community health nurses are fed up with the provincial health policy that has meant restricted patient access, rationed home care services and difficult working conditions for front-line nursing care providers and home care case managers."

These are people on the front line who are saying the government is doing nothing to assist them in resolving the problem and the dilemma in which they find themselves. They further say that "this legislation will prevent the CCACs from making the best decisions for patients requiring home care and nursing care." As I said, it is the people in the community who understand it. It's not those they may appoint to some board who are given direction.

Somehow there's a similar tone in the Conservative members as they speak, as if they're speaking from one briefing note given to them, maybe by their minister or by their Premier, to say, "This is the direction we should go," and are blinded by it all. No one over there seems to speak about their community and the community's needs. If they did, they would be speaking about the elderly who need care, the nurses who are saying, "You must support and fund us adequately enough to provide those services." It's not being done. It's not being done because

they are blinded by all their ideological ways and the direction they want to go.

Just today, Mr Speaker, you read with great interest and disappointment how they fudged the books on how much money they have spent in health care. The fact is that they were going to the feds all the time and saying, "We want money or we're going to privatize this." In the meantime, they hadn't spent what they were saying. They hadn't spent within the time. They were counting ahead. The auditors have warned them that they must not do that.

They talk about accountability by the CCACs, and yet they were not accountable to the people. They weren't even accountable to the auditors. In some instances, they were locking the auditors out from getting the information, so that they could report to the public at large how they spent that money.

They're going further. They're going to the extent where they will say, "We will do the appointments to those boards, people we can maybe manipulate and control." The fact is, all the people within that community are able to identify those individuals who know those concerns. But this government feels that when they go to the standing committee on government agencies, paying them off maybe because of some political deeds they've done, they've answered that question.

We will suffer more for that. It's tough times now, and it's going to get even worse. As a matter of fact, they're going to select their leader. Mike Harris is jumping ship, and the others are jumping back on. There is no difference with any of them. Whoever takes the ship will be sinking it.

But there is hope, as I said. Sometimes I may sound rather depressing. The young folks who are listening may feel, "My golly, where are we going?"

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But there is hope. We have a party and a leader, Dalton McGuinty and the Liberals, that have shown them the alternatives with which to go, and I feel that this great province, with these wonderful people within it—the elderly who we must look after, the young people, the lame, the sick, the disillusioned—will be looked after, not be cast aside to sleep on the roads like now, or not be able to have their bandages changed because the government has not funded the program adequately. This party will make sure that those monies that are to spent in the right direction will go there to look after the elderly and the sick and the lame, because we are, in all, a rich province and can do the job with the right people, the right government.

**The Deputy Speaker:** The members now have two minutes for questions or comments.

**Mr Martin:** I want to commend the member for Scarborough-Rouge River for his comments. He pointed out very clearly the shortcomings in this bill, some of the very frightening features that exist therein and why that his party will not be supporting it. I would suggest that it parallels very closely the reasons that our party won't be supporting it either.

Our caucus will definitely be voting against this bill that does absolutely nothing—as the member for Nickel Belt earlier today suggested—to improve the delivery of home care in this province. It does not put another penny in, does not deal with the many difficult scenarios unfolding in community after community across this province where home care is concerned, no less in my own community of Sault Ste Marie, where family after family who came to depend on or understand that that service might be there are now discovering otherwise.

They were hoping this government would come forward with a whole comprehensive package of initiatives that would offer to communities some new hope, some new resources, so that they might meet some of the pent-up demand that's out there right now. But no, that's not what we have. What we have in front of us here, as the member for Scarborough-Rouge River said, is a bill that basically takes power back from communities and positions it in the hands of government, within cabinet, to make appointments to boards of directors of community care access centres, to appoint executive directors and to control the flow of information so that even those who want to understand what's going on, because they're seeing the diminishing of services, will no longer be able to get the information they need to make a proper judgment about that.

**The Deputy Speaker:** Member for Niagara Falls, are you standing? You're now sitting. The member for London West.

**Mr Bob Wood (London West):** I noted with interest that the member who spoke commended much of the excellent work that has been done by the CCACs, yet I think he failed to recognize some of the problems that have existed. I thought that was a very considerable flaw in the argument he offered to the House. I think we do have to recognize there are some problems.

I do not accept the view that having the cabinet appoint the board of directors is a negative move. I think, in fact, letting the representatives of the people appoint the people who are actually going to carry out the work of the people is a step forward, not a step backward.

I think, however, in considering this bill, there are also some other things that have to be done. When we recognize that reform is needed—and I think that is fairly widely recognized, though I fear that some of the members on the opposition side may not fully recognize the need for changes—we should recognize that there may well be more changes to be made than are only made in this bill. In that regard, I would refer members to the question of whether or not we should have a list of services that are to be provided to all residents of this province by the CCACs. That's something that many CCACs would support and I think there's some merit in taking a look at that.

If we do that, it does have the problem, of course, that financial control is more difficult. If we have agreed to provide these services and there's a demand for these services, we're going to have to fund them. But on the other hand, when we look at what medical science tell us,

which is that it is better to care for a lot of people who used to be cared for in the hospital in the community, we have to recognize that that need is there and we have to meet that need. I would hope the government, over the next year or two years, will consider that suggestion as well as making the changes that they are making.

**Mr Ted Chudleigh (Halton):** There's a lot of talk about this bill, about its being about the negative criticism we get out of the CCACs. Basically I don't buy that. This bill is about the management aspects of the CCACs and how the CCACs across Ontario are being managed. Some of them are being managed fairly well; some of them are not. There's a great deal of variance across the province as to how these are being managed. To bring some consistency to this management: that's what we need this bill for, so that there's some kind of responsibility.

No matter what any government does about a government program, you can't shut down criticism of a program or an operation. My riding association in my constituency office receives phone calls on many different issues. I know if we're being criticized on an issue, if it's CCACs—in fact, I've received many calls on the CCACs, both negative and positive. There are people phoning up, telling me what a great job the CCAC did for them in a particular instance. I also receive phone calls that are quite heart-rending, in some cases, about people who didn't feel they got as much service as possible from a CCAC. That criticism is not the issue.

It was actually an NDP program, an NDP idea, that put this whole program together. It came together in about 1996, I think, when it initially brought together all the VONs and the various organizations under one roof—a one-stop shop. Three, four or five years after it was put together, it's time to do a reassessment, a re-jigging, a remodification of the kinds of things this organization does. That's what this bill's about.

**The Deputy Speaker:** Response?

**Mr Maves:** To the members opposite, I thank them for this participation in the debate. There are a couple of comments I'd like to address to the member for Scarborough-Rouge River. He didn't think we spoke of our own local communities. That's not true. If he goes back and reads Hansard, he'll see that I spoke of Niagara. He says we're all reading from a note provided by someone. I look at everybody's desk and, again, that's not true. In fact, one of the things I spoke directly from was the Hamilton-Wentworth CCAC study. I've read the whole study and I encourage the member opposite to also get hold of and read the whole study. If he does, he will see quite clearly that there is indeed a need for action and, I believe, this action.

There is one thing I want to say to the members from the Liberal Party before I go tonight, before we finish the session for the weekend. One thing you can really do for the people of Ontario is to stand up to Jean Chrétien and the federal Liberals, who continually refuse to properly fund health care in Ontario. Every party of every political stripe—Liberal, NDP and Conservative—all across this

country agrees that the federal Liberal government is the only government cutting health care funding, even the NDP in this province. Howard Hampton has stood up, he has signed a letter and he has said to Jean Chrétien, "You're underfunding. You're not properly funding health care."

Back in 1993, 18 cents of every health care dollar spent in Ontario came from the federal government. A couple of years ago that had dropped to 11 cents on the dollar. There were actual Canada health and social transfer cuts by the federal Liberal government. What scares me, what worries me the most, is that Dalton McGuinty and the Ontario Liberals are the only group of people in Canada who refuse to accept that, and who refuse to stand up to their federal cousins. They could really help Ontarians if they would do that.

**Mr Cordiano:** Let's be very clear about this: Bill 130 is nothing short of an effort by this government to silence its critics. The fact of the matter is that CCACs have been underfunded. When the government chose to freeze their budgets, they were underfunded by \$175 million right across this province. Let's make no mistake about that. When this party, this Conservative government, can't find a legitimate reason for what they're doing, they blame everyone else. They blame the federal government for a lack of funds; they blame the opposition for not standing up to Ottawa, as if somehow that's going to

work; they blame the CCACs for mismanagement. They blame everybody and their uncle. Do you know what? The blame, the fault, lies with you. The fact of the matter is, the federal government gave you an additional \$1.2 billion in transfers last year. What did you do with that? You are going to give corporations a \$2.2-billion tax cut, and you accelerated personal income tax cuts.

What people are saying out there in the public is, "Do something about health care. Listen to us." It is a desperate situation with home care. They are at their wits' end. They cannot put up with the fact that this government isn't providing the necessary funding for home care in the face of a real crisis where 70-year-olds in this province are now required to care for their 90-year-old parents. That is just disgraceful, totally and utterly unacceptable, and anybody you talk to across this province will tell you the same thing: it is shameful that this government would turn its back on the most vulnerable in our society. Thank you.

*Interjections.*

**The Deputy Speaker:** If you two are finished—

**Interjection:** No, we're not.

**The Deputy Speaker:** No? Then I'll sit down and you can continue. Oh, you're done now. Glad to hear it.

It now being after 6 o'clock, this House stands adjourned until Monday, December 3, at 1:30 of the clock.

*The House adjourned at 1802.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

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		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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